

# HOUSE OF REPRESENTATIVES—Tuesday, March 8, 1994

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 8, 1994.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

## MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of Friday, February 11, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for "morning hour debates." The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leaders limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Kansas [Mr. GLICKMAN] for 5 minutes.

## URGING A VOTE ON GENERAL AVIATION BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Kansas [Mr. GLICKMAN] is recognized during morning business for 5 minutes.

Mr. GLICKMAN. Mr. Speaker, I rise today to alert my colleagues to a bill I have been working on for many years, a bill which deals with liability problems affecting small airplane manufacturers. I know that many of my colleagues are familiar with this legislation, not only because I have sponsored it in every Congress for the last 8 years, but because the current bill now has 280 sponsors, or nearly two-thirds of this House.

The bill creates a 15-year statute of repose for general aviation, which means that after 15 years after the date of manufacture, you could no longer sue the manufacturer of the airplane for problems that occur with respect to that airplane.

Similar legislation has twice been reported out of the Committee on Public Works and Transportation. Companion

legislation has been reported out of the Senate Commerce Committee, but frankly, to date the House Committee on the Judiciary has not taken action on this legislation.

I am still working with the chairman, the gentleman from Texas [Mr. BROOKS] on this matter. But let me tell the Members this is an extremely frustrating matter to watch this bill languish while thousands of jobs have been lost in my district and across the country.

In the general aviation industry alone, 100,000 jobs have been lost since 1983. I would tell my colleagues that the chairman of Cessna Aircraft has related to me and related publicly that if this bill becomes law, almost immediately the assembly lines for single-engine airplanes would open again in Wichita and other places in this country, meaning thousands of new jobs would be created.

In my judgment, an extremely well-organized and well-financed coalition of trial lawyers have stopped this bill from being considered on the House floor. On many occasions I have supported the interests of trial lawyers, who are often on the side of consumers in their battles, but in this case they are wrong, and the consumers of airplanes, the buyers of airplanes, the pilots of small airplanes, are all in favor of this particular piece of legislation.

Mr. Speaker, I cannot sit by and watch this happen when passage of this bill would mean the immediate creation of new jobs in my district and around the country, jobs for Beech, for Cessna, for Piper, for all sorts of companies that manufacture small airplanes. Thousands of people would be put back to work without costing the Federal Government a single penny.

The impact of liability costs on the industry is best illustrated by the fact that in 1978—and listen to these statistics, in 1978—18,000 small planes were delivered in this country, single-engine airplanes, small twins. In 1993, 500 airplanes were delivered. Imagine, 1978, 18,000 planes made; in 1993, 500 small airplanes made.

Cessna Aircraft has not produced a piston engine airplane since 1986. Piper is in bankruptcy, and Beech is no longer producing light training aircraft.

Mr. Speaker, if I cannot work this problem out and bring the bill to the House floor for a vote, I will have no option but to take the opportunity to use the procedures the House passed last year to work this matter in a dis-

charge petition. Why? Because it has been reported out of the Committee on Public Works and Transportation twice. I cannot seem to get it considered by the Committee on the Judiciary, and the legislation means thousands of jobs in my district, around the country.

More importantly, the future of aviation is at stake, because if we are not training pilots on small airplanes, if we are not building the infrastructure on a single-engine airplane so people will learn to fly and move up the ladder in terms of size of airplanes and move into commercial aviation, the ability of America to dominate the field of aviation is directly threatened.

Mr. Speaker, I encourage the leadership of the House to help me, to help the aerospace workers of America, and I might add that the International Association of Machinists is strongly in favor of this legislation, and to help pilots across the country who want to fly United States-built airplanes, not French-built, not Brazilian-built, not other countries, but American-built airplanes.

Help me bring this bill to the floor. It does not cost the Federal Government one dime. It creates thousands of jobs. It is good for aviation, and nearly two-thirds of the House support this bill. Mr. Speaker, that is all I ask, that we bring this bill to the floor for a vote and then let the merits of the bill speak for themselves.

## URGING LEADERSHIP TO ABANDON SECRET HEALTH CARE PROCESS

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentleman from Georgia [Mr. GINGRICH] is recognized during morning business for 5 minutes.

Mr. GINGRICH. Madam Speaker, I rise today to urge the Democratic leadership here in the House to abandon the health care process that I believe has started this morning in the subcommittee of the gentleman from California [Mr. STARK].

Let me report to my colleagues that my understanding is that with the public Clinton plan now dead, because the public has rejected it so decisively, there is now a secret Clinton plan. Nobody knows what it is, including, I think, the Democratic leadership, but they have decided that they cannot pass anything out of the subcommittee of the Committee on Energy and Com-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

merce, so they are going to try to go to the full Committee on Energy and Commerce.

They have decided that the bill they are going to mark up today in the Subcommittee on Health of the Committee on Ways and Means probably will not be the bill that they will mark up in the full Committee on Ways and Means. They have decided, according to some newspapers this weekend, that if they cannot get anything out of the Committee on Energy and Commerce, they will simply take the Committee on Ways and Means bill to the Committee on Rules, and sometime around May or June write another bill in the Committee on Rules, bring that to the floor, then they will try to get that bill to go to conference.

Then, with almost no time left at the end of the session in September or October, they will rush a thousand-page bill to the floor. They will attempt to pass a secret Clinton plan that nobody will have read, nobody will understand. It will be filled with massive mistakes, because just as the 500 people in the secret meetings in the White House were incapable of writing a health plan for 260 million Americans, we will discover that the 60 or 70 staff in secret meetings in the Congress are going to be incapable of writing a health plan for 260 million Americans.

We had a Republican retreat in Annapolis on Thursday and Friday of Senate Members, House Members, and Governors. I want to report to my colleagues that on the Republican side, we would like to reach out to write a bipartisan health bill in public, where people can see the product. We would like to use the normal committee and subcommittee process.

We would like to allow the American people to see the bill that we are drafting. We would like it to be done in an adult, orderly, commonsense manner, that people can see what the city of Washington is trying to do to their health and their health care, their choice of a doctor and their choice of a hospital, and their pocketbook.

I just want to report to every Democrat in this House, on the Republican side we are prepared to sit down this afternoon on a bipartisan basis to write a health bill. We think it is important for America that it not pass by 218 partisan votes, as the tax increase did last year. We think it is important for America that there be a broad, bipartisan coalition working together in public, with public accountability, so that together we can write a good bill.

□ 1040

We think it would start with things like medical savings accounts, with malpractice reform, with group insurance for small business. We think that it is possible to write a good bill. We think we can outlaw preconditions so every American can buy insurance. We

believe we can guarantee portability so Americans can switch jobs without losing their insurance. But we believe public trust, particularly in the light of everything which has happened recently, that public trust can only be reestablished by a bipartisan effort in public to write a bill where the people have a chance to examine it, and I would beg the Democratic leadership, back off from this series of one-sided, one-party secret efforts leading to I think a bad bill with bad consequences.

#### WHITEWATER A BELTWAY ISSUE

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentleman from New Mexico [Mr. RICHARDSON] is recognized during morning business for 5 minutes.

Mr. RICHARDSON. Madam Speaker, I have just returned from New Mexico, where I literally met with thousands of my constituents at a wide array of events. Let me say that not one single constituent of mine raised the so-called Whitewater issue. What they wanted to talk about was crime and education and health care. The Whitewater issue appears to be a beltway issue.

A recent poll came out this morning—68 percent of the American people think that the other side, our friends on the Republican side, are unfairly piling it on the President.

Madam Speaker, middle America does not care about Whitewater, they care about health care, crime, the economy. The time has come for us to spend full time on these issues.

They sent us to deal with these issues.

Madam Speaker, despite the other side's efforts to try to embarrass the President, middle America knows the facts about Whitewater. Under no circumstances has there ever been any direct involvement or impropriety by the President or the First Lady. There has been no allegation that they have done anything wrong, let alone illegal or improper.

Madam Speaker, some are saying there is a similarity between Whitewater and Watergate. This is absurd. This is patently absurd.

Madam Speaker, there have been calls by the other side for hearings in the Congress. The special counsel, the special counsel of the Whitewater case, Mr. Robert Fiske has specifically asked Congress not to hold hearings, that this will "impede the investigation." The other side pushed very hard for the White House to appoint a special counsel. That happened. The special counsel is looking into this case and the best thing we can do is let that process continue and run its course.

Madam Speaker, we have a popular President who has attacked the problems of the economy, of trade, of

health care, of crime. He is high in the polls and while he cannot be attacked on the issues, he is being attacked, baselessly, on his character. If there is something wrong, let the special counsel run its course and continue its investigation.

Madam Speaker, it is also unfair to attack the First Lady. This is a First Lady who has jumped into the issue of health care and many others. She has a record of probity and she has a record of integrity throughout her public career. It is wrong to attack her in this manner.

Madam Speaker, the White House has chosen as a new special counsel Lloyd Cutler, perhaps one of the best symbols of integrity in Washington, DC. He served as special counsel under President Carter and was a model of ethics and probity as well.

Madam Speaker, our constituents have spoken. Let us deal with the problems of the day. Whitewater is an issue of the beltway that should be investigated by the special counsel and not by the Congress.

#### WHITEWATER

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Georgia [Mr. LINDER] is recognized during morning business for 3 minutes.

Mr. LINDER. Madam Speaker, I rise today to respond to a charge by the President that Republicans are fomenting hysteria regarding the Whitewater affair.

That, of course, is ridiculous.

Sure, before the special counsel asked that we do not, we would have liked the committees of jurisdiction to hold hearings on the issues that spring from this whole affair.

We would have liked the Small Business Committee to investigate fully the charges that the Small Business Administration made a fraudulent loan to people attached to Madison Guaranty.

And we think it would have been important for the Banking Committee to investigate fully the activities of the Madison Guaranty Savings & Loan. After all, they did not hesitate to question Neil Bush for several weeks.

And I still believe that the Congress has a critical job to do here. That job is not to brush this sordid affair under the carpet.

After all, part of the job of the Congress is to investigate when there is the hint of scandal attached to public officials and public funds. This is called oversight.

The sum total of the Republican effort in the Whitewater affair has been to try to get the Congress to do its job.

No one in this body would accuse my friend from Iowa, JIM LEACH, of being a rabid partisan. He is one of the fairest, most respected Members of this insti-



tution, and his efforts have been beyond reproach. He is a genuine intellectual.

No one would accuse the Washington Post of being rabid Republicans, yet they have come out with a series of stories on this issue.

Mr. Speaker, I would submit to the President that if he has a beef, he should take it up with his staff.

After all, it is White House fumbling that has created this public perception of coverup. It is faulty advice that has caused embarrassment to the President.

It is not Republican attacks that have the White House in this curious state. As one Presidential adviser said, "the damage control team created a lot more damage than it controlled."

The President has misdirected his fire at the Republican Party.

The President seems to think that Republicans want to attack the administration with scandal, because we cannot beat them with actual policy.

I urge the American people to look at the facts. Look at our health care proposal and then at the Clinton proposal. It is the difference between enlightened realism and farfetched socialist fantasy.

Or look at the Republican crime proposal, which exists, and the Clinton crime proposal, which does not.

Or look at the Republican welfare proposal, which is an actual document, and the Clinton proposal, which is vague rhetoric.

Republicans would welcome an opportunity to get on with the issues that the American people really care about. And we are ready to do that today.

Madam Speaker, the President should not lash out at Republicans for trying to get to the bottom of the Whitewater affair.

He should look at his own operation, and see from where the smoke is coming.

#### SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1050

#### INTERNATIONAL WOMEN'S DAY 1994

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentlewoman from California [Ms. WATERS] is recognized during morning business for 5 minutes.

Ms. WATERS. Madam Speaker, today, March 8, is International Women's Day. This date is commemorated at the United Nations, and is designated by many countries as a national holiday.

Throughout the world on each March 8, we pay tribute to women for their past efforts, current work, and future actions. We salute those who fight to win equality and advance the health, education, and opportunities for women in all countries.

Beginning early in this century, observances were held in the United States and Europe to call attention to the fact that the overwhelming majority of women throughout the world lived in poverty, and lacked the right to vote and hold office. Over the last eight decades, women, along with their male supporters, have used March 8 as a time to call attention to the status of women.

The United Nations declared 1975 as International Women's Year and in 1976 inaugurated the United Nations Decade for Women. Since then, there have been U.N. initiatives to improve conditions for women which resulted in the creation of the first international legal framework for women. In addition, U.N. bodies are continually striving to bring about equality by raising public awareness and by a commitment to change long-ingrained traditions and attitudes which prolong discrimination.

There have been three global conferences to date focusing on women: at Mexico City in 1985. The Nairobi Conference issued strategies for proposed actions to be taken by governments and the international community in order to achieve gender equality by the end of the century. Now preparations are currently underway for the Fourth World Conference on Women to be held in Beijing, China, in 1995.

While there certainly has been more attention focused on the status of women during the last several years, the reality is that women still make up the majority of people living in poverty, worldwide and here in the United States. Women still face violence, poverty, and injustice, are paid significantly less than men, number two-thirds of the world's illiterate people, and constitute an average of only 11 percent of the members of national parliaments and legislatures.

Native Americans say, "women hold up half the sky," but we still do not hold the power or control the resources to determine our own destinies. Not in the world. Not in our Nation.

On this March 8, there are 48 women in the House of Representatives, representing 27 States and the District of Columbia; 6 women now serve in the U.S. Senate. There are more women representatives in our State houses and legislatures, city councils, and county boards than ever before.

All Americans should take pride in these achievements. But, at the same time, we need to recognize that the road to full equality for women is a long one. Our journey will continue at home in America and with our sisters throughout the world.

Madam Speaker, we must make every day International Women's Day by advancing policies and programs, whether in our domestic programs or as part of our foreign assistance, that empower women. The future of our Nation and the future of our world depend on recognizing the God-given energy and genius of women.

That is why I am proud to stand with millions of my sisters throughout the world—whether in Haiti or Helsinki, South Africa or South Central, Japan or Jamaica—in marking this very special day.

#### HEALTH CARE GRIDLOCK

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from California [Mr. HERGER] is recognized during morning business for 2 minutes.

Mr. HERGER. Madam Speaker, there is gridlock inside the beltway on the road to health care reform. The legislative highway is jammed with various plans which seek to cure the ills of our current system, but none of these plans can make it to their final destination because of a fatal accident that has shut down the entire process. The Clinton caravan skidded off the left side of the road, careened into our small businesses, sideswiped our health care quality, spun itself into confusion, and crashed into the face of logic.

I am sorry to report that the Clinton plan was dead on arrival, and its wreckage remains strewn in the House committees of jurisdiction. We need to haul off the remnants of the Clinton plan and allow the best plans to get through the legislative road reform.

The Michel plan is the clear choice to make it to the finish line. It cures the portability problem, solves the pre-existing conditions riddle, increases access, and lowers costs, all without sacrificing quality.

Madam Speaker, let us clear the road of the Clinton plan accident and move on to real health care reform.

#### HEALTH CARE PROGRAM NEEDS CHANGE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Wyoming [Mr. THOMAS] is recognized during morning business for 3 minutes.

Mr. THOMAS of Wyoming. Madam Speaker, I wish to talk a little bit about health care. I think it is clear that the majority of the American people feel the health care program needs fundamental change; however, not the kind of an overhaul that would give us a Government-run bureaucratic system entirely different from the private delivery system that we now have, but, rather, to reform with practical solutions that will not add to the deficit.

They do not want the Government in charge. They already see what happens

when the Federal Government calls the shots: Taxes go up, quality goes down, and choices are taken away.

There has been some talk about gradually enacting the unpopular components of the President's bill like employer mandates, mandatory health alliances, and price caps. But if these ideas are unpopular today and unworkable today, they will be no less unpopular, no less unworkable in the future.

In fact, that is one of the problems with this system that we have is if something does not seem to work, if something does not seem to be popular, we start it at a very low level and let it gradually ease in to end up with the thing nobody wanted in the beginning, because it was made relatively palatable at the start, then we move it on into something totally unpalatable without much chance to change. I hope that does not happen in this instance.

We ought to talk just a minute, it seems to me, about some of the really conceptual ideas that are here, in terms of what philosophy works in our country, in terms of the private-sector delivery system that worked so well for the things that we do in this country, financial responsibility, individual responsibility, and there is some of that involved here, problem solving.

We need to deal with solving the problems that are there. We do not need some sort of political theater with all kinds of perception twists, all kinds of sales programs with no real need or evidence that it will work.

For instance, employer mandates: employer mandates really cause an opportunity for a shift from problems in health care to problems in unemployment. In my State of Wyoming, the majority of jobs are small businesses, the kinds of small businesses that will not be able to exist under employer mandates. We will have traded off the health care problem for a job problem.

Alliances: The Medical Science Journal says it takes 800,000 people to put together an alliance that works. We do not have that kind of community in Wyoming. We have a State with 450,000 total population. We need the flexibility to have a different kind of private delivery system.

The idea of a bureaucracy, a total bureaucracy, running the health care program is simply not consistent.

I went to Canada last year to take a look at their program. Indeed, there are some good things about it. But they operate in a background and a culture and history quite different than ours, and the idea of single payer, the idea of lack of choice, the idea of putting everybody together in a very large mandatory alliance simply is not consistent with the things that we are accustomed to here.

Americans do not want to trade the problem of uninsurance for problems of unemployment. They want reforms.

There are things that we can do. There are plans before us that work

that will solve the problem, and that is the direction that we should take.

□ 1100

#### CLINTON HEALTH CARE PLAN: TRUE UNIVERSAL COVERAGE

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentleman from Connecticut [Mr. GEJDENSON] is recognized during morning business for 5 minutes.

Mr. GEJDENSON. Madam Speaker, I watched this institution debate a number of issues in the years that I have been here, but never before have I seen such an incredible amount of money coming from special interest groups trying to defeat a piece of legislation. And in that way, health care is different from the battles we had in the past on civil rights or Social Security, even different from the battle we had in getting Medicare for our senior citizens.

Madam Speaker, Tip O'Neill used to talk about, when he came to this Congress, over half the senior citizens in this country lived in poverty; they were without medical coverage; they were the pity of the country.

We took action in this Congress in previous decades, first with Social Security and then with Medicare, and we made progress that now the entire country recognizes has made this a better place for our senior citizens to live.

Most of the people who oppose the President's plan today come from the political party that opposed social security and opposed Medicare as well. They made dire predictions about what would happen to America if we passed Social Security and Medicare. They were wrong then; they are wrong today.

We are losing choice today as Americans; if you have a child with juvenile diabetes, you have no choice, you cannot get coverage for that child as it reaches maturity. If you have to change jobs in this ever-evolving economy, where more and more of our citizens change their jobs on a regular basis, not returning to their old jobs, not having the resources to continue insurance on their own, you have no choice because you cannot get your family covered.

It seems to me there are wealthy special interests that want to stop the Congress and the American people from addressing the very fundamental issues in health care that we as a nation have to address. We need to make sure when that family with a child with juvenile diabetes or borne in a wheelchair because of multiple handicaps, that family can have health care. We can do that in this Congress if the American people will only speak out.

For all the money and all the special interests on the other side, the voice of

the American people is stronger. They ought not to be confused by people who are more concerned with their own personal profits than with the health of this Nation or the health of our children and our families.

It is easy to stand on this floor and talk about family values, but what is stronger in helping a family than helping the family to keep its health care and hold itself together?

When I was a State representative, the first cruel thing I saw as a result of our present health care system was a mother told to go back to welfare because the new job she had finally gotten could not cover her child with a preexisting illness. As a Member of Congress, one of the first tragedies we faced was a family that first lost their jobs and then lost their father because of a traumatic brain injury and then lost their home because they had no health care coverage. This country can do better.

We can sit down and be rolled by the people with money, by those who want to profit off of the present system, or we can join together as a country and make sure that we cover all of our families and all of our children.

Small business in America, for the vast majority, provide health care for employees. But the competitive edge goes to the one side or the other of them; companies that are smaller that often provide no health care coverage end up living in the system by having their employees covered by our premiums. We pay higher premiums because of this some millions of people who are presently not covered when they end up in the hospital or getting health care benefits.

That medium- and small-size company today that provides health care also has another competition that has an advantage: the large company with thousands of employees which buys the very same coverage for a lot less money.

My fellow Americans, we are at a point in this country's history where we can take a step forward with a health care plan that will guarantee coverage for every American, coverage they cannot lose and coverage that keeps their choice.

But if we fail to act as a Congress and as a country, if we let those special interests who think profit is more important than the economic health and the physical health of this country, we have but ourselves as citizens to blame.

I would ask every citizen watching this House, this office, watching this House operate, this President fighting for health care reform, to write to their elected officials, to speak out and demand that we take action this year.

Call the plan what you like but it seems to me unless it had the fundamentals that mandate coverage for every American, that mandates coverage that you cannot lose when you



lose your job, that mandates coverage that you can keep the coverage even when you change jobs, if we do not do that, we are not getting the job done.

We can do that with the help of my colleagues in this Chamber if they hear from their constituents.

Do not be frightened by rhetoric from those who benefit from the present system.

Every other civilized Western country is able to provide universal coverage, and we ought to be able to do it here as well if we band together and fight for what is right for the American people.

#### CLINTON HEALTH—RATIONED HEALTH

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Madam Speaker, most Americans believe that the quality of care available in today's U.S. health care system is the best in the world, and it is. Eight of 10 Americans believe the quality of care will suffer significantly in the Clinton, Government-run health care system the President desperately wants to impose on all of us tomorrow. As details of the drastic health care restructuring advocated by President and Mrs. Clinton become clear, Americans are saying "no" in ever increasing numbers. The more they know, the less they like. In looking at one major group of health care consumers—our Nation's senior citizens—we find important reasons for the mounting opposition to the President's plan. In a recent Reader's Digest article, "The Adverse Impacts of Government-Run Health on Older People Are Explored." Quoting a civil law professor in Ohio, the article emphasizes that, "Rhetoric to the contrary, the Clintons must know this plan will result in rationing." Why? Under the Clinton's Government-run approach, price controls, global budgets, and heavy penalties for people seeking to secure extra health care will mean that health services Americans have immediate access to today will not be available to them in the Clinton-defined health care system of tomorrow. The evidence in support of this prediction is incontrovertible. In the Government-run health care systems of Canada and Great Britain we see waiting lines for medical services and desperate people leaving their country in search of care. The Reader's Digest asserts that:

Canadians who need emergency treatment generally get it. But a large number face harrowing waits of many months for heart surgery and other procedures. Some patients with treatable tumors have seen their cancer progress to the incurable stage while awaiting radiation therapy. Others have died waiting.

In recent reports of a study of Government-run health care published in a

journal called "Health Affairs," co-author Danny Mendelson says:

A few years down the line you first start to see what we call silent rationing, where the patients don't even know that they're not receiving the beneficial care that they need. Further down the line, I think it would become very clear that we were denying patients some of the latest technology in order to save money.

Columnist Nat Henhoff, in his recent piece entitled "Health Rationing: 'We can't spend this much on you'" notes "The Clinton Health Security Act is not all that universal on its application. Millions will be newly covered but they can't get too sick." In reports from Great Britain, we see just what the acceptable standards for Government-run health care are. Waits of longer than 2 years for an operation, 18 months for hip or cataract surgery, will not be acceptable to the Government. Would 2-year waits for such important, quality-of-life surgery ever be acceptable in the United States? Great Britain's labour health spokesman, David Blunkett, has said "Waiting lists continue to rise and the number of those waiting for more than a year is increasing even faster." The Daily Telegraph reported last fall that:

"In Britain, the health budget needs to be increased by 2 percent a year just to keep pace with rising demand and cost. Of course, rationing has already arrived and goes under the heading of hospital waiting times."

Recent remarks by our own First Lady suggest rationing in this country under her plan may be more serious than long waits—and may mean denied access to care. As described in the New York Times last fall, Mrs. Clinton used the example of a 92-year-old man in need of a quadruple heart bypass operation, suggesting that if the system is changed, such surgery will not be performed. Seniors understand the serious threat the Clinton approach to Government-run health means for them. It is time we changed focus and looked toward real solutions to our current health care problems that will not threaten the quality and accessibility of care—for seniors and all Americans. The Honorable Mr. GINGRICH of Georgia has offered an invitation to sit down and write a bipartisan plan. I hope the Democrats will accept.

#### FAMILIES FIRST BUDGET ALTERNATIVE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Arizona [Mr. HUTCHINSON] is recognized for 5 minutes.

Mr. HUTCHINSON. Madam Speaker, I rise today in support of the "families first" budget alternative, a budget that will reduce the deficit more than the administration's budget and still provide progrowth incentives and, most importantly, middle-class tax relief.

The issue is, will we cut wasteful Government spending in order to provide relief to overtaxed American families?

Today, most American families pay more in Federal taxes than they spend for food, clothing, transportation, insurance and recreation combined.

□ 1110

This is a sharp and shameful contrast with the years after World War II, when Federal income and payroll taxes took only 2 percent of the income of a median family of four. Now that burden has increased to 24 percent.

During the past four decades, there has been a steady erosion in the value of the personal exemption for families with children. If the shelter of that exemption had kept pace with inflation and remained a fixed percentage of per capita income, it would now be over \$8,000 instead of the current \$2,300.

Recognizing that, the bipartisan National Commission on Children proposed, as its most important recommendation, a tax credit of \$1,000 per child. And only last year, the Democrat nominee for the Presidency promised that "middle class taxpayers will have a choice between a children's tax credit or a significant reduction in their income tax rate." This budget plan provides an opportunity for the President to fulfill his promise.

The American family has been in a financial vise and it is time the Federal Government loosened the vise—a "families first" budget is a first step.

This budget alternative provides a \$500 tax credit for dependent children. With three children, that is an additional \$1,500 in purchasing power. Furthermore, 75 percent of this money would go to families with gross annual incomes below \$60,000.

I think it is clear that our public policies have grown increasingly hostile to the family. These numbers reflect just that. Our Tax Code has, for whatever reason, been used as a weapon against the family. Put simply, the home front is crumbling.

The very first principle of public policy toward the family should be "do no harm."

But we have done harm.

The American dream is increasingly at risk. The Tax Foundation reports that the overall tax burden is at an all-time high. Hot dog and hamburger America is finding itself squeezed by higher and higher taxes.

We take their hard-earned money away on Friday in the form of taxes and give it back to them minus a beltway handling charge in the form of middle-class entitlements.

The "families first" budget believes parents are more capable of deciding where and how to spend their resources than the Federal Government is.

In most congressional districts, there are about 120,000 children eligible for

the credit. That's \$60,000,000 that would stay in the pockets of the working, tax-paying citizens. This would provide needed purchasing power for middle-class families to realize again the vanishing American dream.

Some will say we cannot afford this tax relief.

Well, it amounts to little more than 1 cent on the dollar over 5 years. If this Congress cannot find that for Mom and Pop America, we had better reexamine our priorities.

#### IT IS TIME TO BALANCE THE BUDGET

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentleman from Illinois [Mr. EWING] is recognized during morning business for 5 minutes.

Mr. EWING. Madam Speaker, I believe a little common sense would go a long way in our Nation's Capital if the Congress would just use it.

Madam Speaker, the people in the 15th District of Illinois, and, yes, I believe people throughout America overwhelmingly, believe it is time for this Government and this Congress to balance our budget. This week we may get a chance in this body to vote on a balanced budget amendment.

Madam Speaker, as my colleagues know, the average American has to balance his budget every week or every month, whenever he gets paid, and, as my colleagues know, it is no different for a farmer in Piatt County, IL. If he does not balance his budget, Madam Speaker, the next year he will be out of business. Or an auto worker in Bloomington, IL; he has to balance his budget or there will not be any money there to educate his children, to provide health care or recreation.

A balanced budget is just common sense, Madam Speaker. Here are some statistics about the debt we have piled up which should shock us all:

In 1994, Madam Speaker, our deficit will be, according to CBO, \$223 billion. Now that is \$600 million a day. In 1996, Madam Speaker, it is going to be lower, \$166 billion according to the estimate. But that is still almost half a billion dollars a day. And in 1999, Madam Speaker it is going to start back up, and we will be over a half a billion dollars a day. The interest is soon going to be more than a billion dollars a day on the national debt.

It is clearly time that we start doing something real about balancing our budget. What happens if we fail? Well, those who want to spread misinformation and fear say, if we have the balanced budget amendment, then Social Security recipients will get cut or we will not have money for health care. There is nothing in the balanced budget proposal that would provide that. But I will say to my colleagues, Madam

Speaker, that if we do not do something about the balanced budget, we will not have any of those social programs. We will not have the financial resources in this country necessary to provide the needed services or even our own national defense.

Madam Speaker, every time the balanced budget amendment comes up the opponents say, "We don't need it." The opponents say, "What we really need is to make those serious tough cuts when we do the budget." Last year we had the Penny-Kasich budget which would have cut at least \$60 billion from our deficit. Those same people voted against it. So much for the tough choices.

There are so many issues that this Congress addresses that we seem to be out of touch on, and I think we are really out of touch on the balanced budget, and I think that is probably why our ratings are so low among the American people. When the House votes on the balanced budget amendment soon, I urge all of my colleagues to vote yes. If the House passes this amendment, we can send it back to the other body, who recently rejected the balanced budget amendment, and maybe we can start bringing some common sense to the way we operate in Washington.

#### A DIFFERENT PERSPECTIVE ON HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, the gentleman from Ohio [Mr. HOKE] is recognized during morning business for 5 minutes.

Mr. HOKE. Madam Speaker, I would like to speak this morning, just briefly, with a different perspective on health care and some of the implications of the President's plan, some of the implications that have come about as a result of what has been a fundamental shift in the way that health care gets paid for in our country over the past 40 or so years. To illustrate that, Madam Speaker, I would like to point out first of all that in 1950 approximately 20 percent of all health care was paid for by third parties, and in 1950 "third parties" meant insurance companies for the most part. And 80 percent of health care was paid for by individuals. In 1994, Madam Speaker, that number gets flipped around, where 20 percent of health care gets paid for by individuals and 80 percent gets paid for by third parties; that is, insurance companies or the Government, and I want to share with my colleagues what I believe is probably the most profound ethical implication of that because it is, in fact, the issue of quality as opposed to cost which will ultimately be the issue that every single one of us as consumers of health care, as patients, as people who get into trouble with either diseases or accidents, that we will be concerned

with because it is, in fact, the quality issue that will ultimately become the most important issue.

Madam Speaker, I want to share with my colleagues a quotation from a Swiss medical philosopher whose name is Ernest Truffer, admittedly not a household name, but he brings out this point in a way that is much better than I could.

The increasing intrusion of third parties on the doctor-patient relationship amounts to a rejection of the medical ethic, the medical ethic which is to care for a patient according to that patient's specific medical requirements as opposed to the veterinary ethic which consists of caring for the sick animal, not in accordance with its specific medical needs, but according to the requirements of its master and owner; that is, the person who is responsible for paying the fee.

□ 1120

Herein is the rub with respect to managed care, with respect to Government-funded and Government-paid-for health care programs. That is that instead of having that relationship between the doctor and the patient upon which quality health care is built, upon which the entire Western medical model is built, instead we are building this model that is based not necessarily on what the doctor wants or what the patient wants but what the person who is paying for it is willing to pay, and that is the Government or the insurance company in the models we have created in the 1990's in the United States.

I commend to the attention of the Members two things: First, I would commend to their attention the book that was recently published, written by Robin Cook called "Fatal Cure." It describes very well how this works to a patient's detriment in managed care situations.

I would also commend to their attention a very, very careful consideration of the implications that third party payers have with respect to the actual quality of care that we receive as patients. It is, in fact, necessary to empower patients as consumers, patients as the ones making the decisions, putting the patients and the doctors back in the driver's seat, which will restore and insure quality care in the United States going into the 21st century.

#### THE REPUBLICAN BUDGET PROPOSAL FOR FISCAL YEAR 1995

The SPEAKER pro tempore (Ms. MARGOLIES-MEZVINSKY). Under the Speaker's announced policy of February 11, 1994, the gentleman from Ohio [Mr. BOEHNER] is recognized for 1 minute.

Mr. BOEHNER. Madam Speaker, I bring to the attention of the Members in the Chamber the fact that on Thursday the House will consider the budget resolution for fiscal year 1995.

During that debate on Thursday the Republican Members led by the gen-



tleman from Ohio, Mr. JOHN KASICH, will present a Republican alternative to that budget. Over the last 2 years JOHN KASICH and the Republicans on the Committee on the Budget have done an outstanding job of putting together an alternative budget that in fact reduces the deficit further than the administration's proposal, and it does so by cutting spending and reforming the way Government works.

This year's budget resolution offered by the Republicans in the House includes a \$500 per payer middle-class family tax credit. It fully funds our version of health care reform, crime initiatives, and welfare reform. It generates \$278 billion in net deficit reduction, \$152 billion more than that promised by the Clinton administration.

We do this through job creation and economic growth. We do this through welfare reform, crime control, and our health care proposal, but in addition we reform Government operations in a way that begins to make Government more effective, more responsive, and certainly less costly to the American people.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 11 o'clock and 23 minutes a.m.) the House stood in recess until 12 noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

#### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, for friends who accept us, for colleagues who encourage us and for family whose love sustains us along life's way. We know, O gracious God, that alone we do what we can, but when friends and family and colleagues help point the way and challenge us to moments of courage and an abiding sense of value, then we can be what You call us to be and do those things that honor You and serve people everywhere. Amen.

#### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. ALLARD. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on

agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ALLARD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will ask the gentleman from Colorado [Mr. ALLARD] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. ALLARD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRAYER IN PUBLIC SCHOOLS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Governor Allen and the State of Virginia are pushing a bill to allow prayer in their public schools.

I commend Governor Allen. Many in this country continue to blast school prayer. They say it violates the principle of the separation of church and state.

Mr. Speaker, the Constitution may separate church and state, but it was never intended to separate God and the American people. Think about it.

Every morning we start out our session with a prayer. So does the other body. The roof has yet to cave in, and we have not seen a dictatorship start up yet.

Let us face it: The truth is the overwhelming majority of the American people believe in God, and this politically correct business has gone too far when the only time you hear God mentioned in our public schools is when someone takes God's name in vain.

Now, if that is politically incorrect to support school prayer, then, ladies and gentlemen, I am politically incorrect.

Mr. Speaker, one last thing, God and the American people have been together an awful long time. So has Congress and God. Think about it.

#### NATIONAL CANCER INSTITUTE SENDING CONFUSING MESSAGE TO WOMEN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, today is International Women's Day. It is also National Women's History Week.

But we see the National Cancer Institute, which is fully funded by Federal taxpayers, one more time sending a terribly confusing message to women.

The women in this body have been trying very hard to get American women to, please, go for mammograms and cancer screening. We know that breast cancer is now an epidemic in America, killing one out of eight, up from one out of nine.

Mammograms and early detections can save lives. Nevertheless, the National Cancer Institute is now saying maybe it is not necessary under the age of 50. Well, there are cases all over the place. There are studies all over the place showing that it is necessary and that it will not save every life, but it will save a significant number of lives.

Many of us today are very angry that the National Cancer Institute continues to play so fast and loose with women's lives. They do this in no other area.

We will be having a press conference at 1 o'clock, and we thank the gentleman from New York [Mr. TOWNS] and also thank the gentlewoman from New York [Ms. SLAUGHTER], who have been leading the Congresswomen and men who are very concerned about this and are trying to get the National Cancer Institute to turn over their decision.

□ 1210

#### EPA OVERKILL

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, this past weekend in my district, I was notified of the EPA's plan to slap the small city of Fort Morgan, CO, with a \$44 million lawsuit for noncompliance with the Clean Water Act. It is absurd to penalize a city of 9,000 citizens for this exorbitant amount. This averages out to \$5,000 per resident of this agricultural city. The EPA has even gone beyond this amount. A \$25,000-per-day fine is going to be implemented until the issue is resolved. The sewage treatment plant in Fort Morgan has never discharged any harmful ingredients into the South Platte River. Nor has there been any harm done to the people or the environment by the alleged non-compliance actions of the plant. The

only industry that is allegedly producing the waste in noncompliance is the Excel Corp. The violations, the EPA has stated, are for pretreatment occurrences which means they do not care what comes out of the plant, but what is going into it. What are their expectations and priorities? The EPA has stated the fines need to be large enough so it is not cheaper to ignore the violations rather than fix them. Well, the city of Fort Morgan is trying to rectify the problem. They are in the final planning stages to build a \$13 million waste water facility to remedy the situation the EPA has inquired about. But what reasonable bond dealer will invest in a project that has a \$44 million lawsuit against it? I am asking the EPA to help in the clean up. The place to start is to get this issue out of the lawyers hands and into the hands of officials who are willing to resolve this issue. The point is this, Is the EPA more interested in collecting fines, or is it interested in helping rural America solve their problems?

#### WHITEWATER IS AN INSIDE-THE-BELTWAY ISSUE

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, how many people outside the beltway of Washington, DC, care about Whitewater? Zero. More and more, Whitewater becomes an inside-the-beltway issue raised by those who oppose the President but cannot criticize him on the substance of his policies.

Mr. Speaker, I was in New Mexico this weekend, and not one constituent in a variety of meetings—close to 2,000 constituents whom I was—raised the subject of Whitewater. But they did raise the subject of health care, the subject of crime, of education and the economy. That is what the American people elected us to work on, not worry about Whitewater, where a special counsel is already investigating.

In fact, a recent poll suggests that 68 percent of the American people think the Republicans are attacking the President and the First Lady unfairly.

What are the facts? First, nobody has suggested that the Clintons have done anything improper or illegal.

Second, special counsel Robert Fiske is doing his job. He has subpoenaed White House staff and is zealously pursuing the facts. The White House is fully complying.

Third, Mr. Fiske has stated that he does not want the Congress to interfere with his investigation. Mr. Fiske is a Republican.

Fourth, the President has reacted to the issue properly, appointing a special counsel to look into the matter. Any comparison between Whitewater and Watergate is irresponsible and politically motivated.

Mr. Speaker, let us get on with the problems of the day.

#### OATH OF SECRECY (H. RES. 378)

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, Americans are stunned by revelations about a high level mole in the CIA. Although damage assessments are far from complete, we already know that this modern day Benedict Arnold passed classified information to the Soviets and disclosed the names of clandestine operatives. People died and missions failed. Clearly, when classified information is compromised it is serious business. Representative HYDE and I have introduced legislation requiring Members of this body to sign an oath of secrecy if they wish to work with sensitive material. Many intelligence assessments made by the CIA eventually come to Congress and damaging leaks from sources on the Hill do happen—sometimes with tragic consequences. Members often talk of increasing congressional accountability—passing a simple oath of secrecy is action we should take now. I urge support for Hyde-Goss legislation.

#### LABELING MILK CONTAINING BGH

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, imagine a group of family farmers or dairy companies or a grocery store being sued by a giant multinational drug company simply for putting a label on their milk saying that they do not use a new drug that causes illness in cows, a drug that, as it happens, is made by that same multinational corporation.

Sound like an Orwellian nightmare to you? Well, it is actually happening now here in America. Monsanto, the company that has used its massive influence to get the FDA to approve its bovine growth hormone drug, is now suing small cooperative dairies because they want to tell their customers that they do not use Monsanto's BGH.

Mr. Speaker, this is an outrage. Large majorities of the American people have said they want labeling of milk for BGH. But when small companies respond to consumers' needs, Monsanto tries to intimidate them with lawsuits.

And where is the FDA in all of this? Unfortunately, as in the past, the FDA has taken the corporation's side, not the side of the American people.

Mr. Speaker, let us remind the FDA they work for the American people and not for Monsanto.

#### DON'T BLAME REPUBLICANS

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, what is going on at the White House?

After a series of critical errors by the President's staff regarding the Whitewater affair, Mr. Clinton blamed Republicans for fomenting hysteria.

This is like blaming the other team when you fumble the football in the open field.

Mr. Speaker, Republicans simply want to get to the bottom of this whole affair. And we are not alone. So do the American people.

In fact, it is the media that has done most of the leg work to investigate what the White House, the Rose law firm and the Justice Department have been doing in regard to Whitewater.

If the President wants to blame someone for the media's feeding frenzy, I suggest he first look in his own shop.

There he will find missteps, mistakes, fumbles, foibles, folly, and foolishness, all of which has contributed to the perception of a coverup. Mr. Speaker, the President should not blame Republicans for Whitewater. It is not our fault.

#### VOTE FOR TAX-LIMITATION BALANCED BUDGET AMENDMENT

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, the American people have had enough of the bottomless pit of debt into which this country as plunged itself. They have seen their hard-earned money go to paying taxes, taxes which do nothing but pay the interest for Government that we have already consumed. They have heard enough rhetoric from both Congress and the administration when it comes to the deficit. They have tired of a Government that talks loud but says nothing, a Congress that cheers when a 1 percent bipartisan cut in spending is killed by 7 votes by the liberal majority.

I urge my colleagues to vote for the tax-limitation balanced budget amendment, to show the American people that we really do care about the deficit, about their children, about their grandchildren, and that we are willing to do something about it.

Our future is in the balance.

#### GATT TRADE PACT AND U.S. ANTIDUMPING AND SUBSIDY LAWS

(Mr. REGULA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)



Mr. REGULA. Mr. Speaker, this morning over 60 Members of the House, and corporate CEO's from California to New York, met in a working session regarding implementation of the recent GATT trade pact as it affects U.S. anti-dumping and subsidy laws. Secretary of Commerce Ron Brown also joined us to demonstrate his interest in this matter.

The message was simple and clear by all those who attended. Any final implementation bill must maintain strong and effective trade laws. Cosmetic changes to our laws that give the appearance of a broad based bill but do little to correct existing problems is unacceptable.

Ambassador Kantor and Secretary Brown fought hard and brought home a GATT agreement that is a historical achievement. Congress should now follow through on their leadership and pass strong implementing legislation.

The size of the dumping and subsidy sections of the upcoming trade bill, or whether its called a broad or minimalist bill, doesn't really matter as long as the basic needs of our manufacturers and work force are met.

The stakes are very high. What happens in this bill regarding these trade laws will significantly affect our domestic manufacturing industries far into the next century. So it is imperative that Congress continue to let those with the administration know of our specific concerns on this matter. To do less compromises the economic future of our Nation.

□ 1220

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KLING). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken on Wednesday, March 9, 1994.

#### FEDERAL WORKFORCE RESTRUCTURING ACT OF 1994

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 380) providing for the concurrence by the House with an amendment to the amendment of the Senate to H.R. 3345.

The Clerk read as follows:

H. RES. 380

Resolved, That upon the adoption of this resolution, the bill (H.R. 3345) to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes, with the Senate amendment thereto, shall be con-

sidered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Workforce Restructuring Act of 1994".

#### SEC. 2. TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking "fields" and all that follows through the semicolon and inserting "fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals";

(2) in section 4103—

(A) in subsection (a)—

(i) by striking "In" and all that follows through "maintain" and inserting "In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance, the head of each agency, in conformity with this chapter, shall establish, operate, maintain, and evaluate";

(ii) by striking "and" at the end of paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4); and

(iv) by inserting after paragraph (2) the following:

"(3) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and"; and

(B) in subsection (b)—

(i) in paragraph (1) by striking "determines" and all that follows through the period and inserting "determines that such training would be in the interests of the Government";

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(iii) in subparagraph (C) of paragraph (2) (as so redesignated) by striking "retaining" and all that follows through the period and inserting "such training";

(3) in section 4105—

(A) in subsection (a) by striking "(a)"; and

(B) by striking subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the catchline to read as follows:

#### "§ 4107. Restriction on degree training";

(B) by striking subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as so redesignated)—

(i) by striking "subsection (d)" and inserting "subsection (b)"; and

(ii) by striking "by, in, or through a non-Government facility"; and

(D) by amending paragraph (1) of subsection (b) (as so redesignated) by striking "subsection (c)" and inserting "subsection (a)";

(6) in section 4108(a) by striking "by, in, or through a non-Government facility under this chapter" and inserting "for more than a minimum period prescribed by the head of the agency";

(7) in section 4113(b)—

(A) in the first sentence by striking "annually to the Office," and inserting "to the Office, at least once every 3 years, and"; and

(B) by striking the matter following the first sentence and inserting the following: "The report shall set forth—

"(1) information needed to determine that training is being provided in a manner which is in compliance with applicable laws intended to protect or promote equal employment opportunity; and

"(2) information concerning the expenditures of the agency in connection with training and such other information as the Office considers appropriate.";

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking "by, in, and through non-Government facilities";

(B) by striking subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3381(e) by striking "4105(a)," and inserting "4105,"; and

(2) in the analysis for chapter 41—

(A) by repealing the items relating to sections 4106 and 4114; and

(B) by amending the item relating to section 4107 to read as follows:

"4107. Restriction on degree training."

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date of enactment of this Act.

#### SEC. 3. VOLUNTARY SEPARATION INCENTIVES.

(a) DEFINITIONS.—For the purpose of this section—

(1) the term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code), but does not include the Department of Defense, the Central Intelligence Agency, or the General Accounting Office; and

(2) the term "employee" means an employee (as defined by section 2105 of title 5, United States Code) who is employed by an agency, is serving under an appointment without time limitation, and has been currently employed for a continuous period of at least 12 months; such term includes an individual employed by a county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), but does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government; or

(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in subparagraph (A).

(b) AUTHORITY.—

(1) IN GENERAL.—In order to avoid or minimize the need for involuntary separations due to a reduction in force, reorganization, transfer of function, or other similar action, and subject to paragraph (2), the head of an agency may pay, or authorize the payment of, voluntary separation incentive payments to agency employees—

(A) in any component of the agency;

(B) in any occupation;

(C) in any geographic location; or

(D) on the basis of any combination of factors under subparagraphs (A) through (C).

(2) CONDITION.—

(A) IN GENERAL.—In order to receive an incentive payment, an employee must separate from service with the agency (whether by retirement or resignation) before April 1, 1995.

(B) EXCEPTION.—An employee who does not separate from service before the date specified in subparagraph (A) shall be ineligible

for an incentive payment under this section unless—

(i) the agency head determines that, in order to ensure the performance of the agency's mission, it is necessary to delay such employee's separation; and

(ii) the employee separates after completing any additional period of service required (but not later than March 31, 1997).

(c) **AMOUNT AND TREATMENT OF PAYMENTS.**—A voluntary separation incentive payment—

(1) shall be paid in a lump sum after the employee's separation;

(2) shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or

(B) \$25,000;

(3) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit;

(4) shall not be taken into account in determining the amount of any severance pay to which an employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(5) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(d) **EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.**—

(1) **IN GENERAL.**—An employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the agency that paid the incentive payment.

(2) **WAIVER AUTHORITY.**—

(A) **EXECUTIVE AGENCY.**—If the employment is with an Executive agency (as defined by section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(B) **LEGISLATIVE BRANCH.**—If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(C) **JUDICIAL BRANCH.**—If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) **DEFINITION.**—For purposes of paragraph (1) (but not paragraph (2)), the term "employment" includes employment under a personal services contract with the United States.

(e) **REGULATIONS.**—The Director of the Office of Personnel Management may prescribe any regulations necessary for the administration of subsections (a) through (d).

(f) **EMPLOYEES OF THE JUDICIAL BRANCH.**—The Director of the Administrative Office of the United States Courts may, by regulation, establish a program consistent with the program established by subsections (a) through (d) for individuals serving in the judicial branch.

#### SEC. 4. ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.

(a) **RELATING TO FISCAL YEARS 1994 AND 1995.**—

(1) **IN GENERAL.**—In addition to any other payments which it is required to make under subchapter III of chapter 83 of title 5, United States Code, an agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 9 percent of the final basic pay of each employee of the agency—

(A) who, on or after the date of the enactment of this Act and before October 1, 1995, retires under section 8336(d)(2) of such title; and

(B) to whom a voluntary separation incentive payment has been or is to be paid by such agency based on that retirement.

(2) **DEFINITIONS.**—For the purpose of this subsection—

(A) the term "final basic pay", with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor; and

(B) the term "voluntary separation incentive payment" means—

(i) a voluntary separation incentive payment under section 3 (including under any program established under section 3(f)); and

(ii) any separation pay under section 5597 of title 5, United States Code, or section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (Public Law 103-36; 107 Stat. 104).

(b) **RELATING TO FISCAL YEARS 1995 THROUGH 1998.**—

(1) **IN GENERAL.**—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, in fiscal years 1995, 1996, 1997, and 1998 (and in addition to any amounts required under subsection (a)), each agency shall, before the end of each such fiscal year, remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to the product of—

(A) the number of employees of such agency who, as of March 31st of such fiscal year, are subject to subchapter III of chapter 83 or chapter 84 of such title; multiplied by

(B) \$80.

(2) **DEFINITION.**—For the purpose of this subsection, the term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code), but does not include the General Accounting Office.

(c) **REGULATIONS.**—The Director of the Office of Personnel Management may prescribe any regulations necessary to carry out this section.

#### SEC. 5. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) **DEFINITION.**—For the purpose of this section, the term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code), but does not include the General Accounting Office.

(b) **LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.**—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,084,600 during fiscal year 1994;

(2) 2,043,300 during fiscal year 1995;

(3) 2,003,300 during fiscal year 1996;

(4) 1,963,300 during fiscal year 1997;

(5) 1,923,300 during fiscal year 1998; and

(6) 1,882,300 during fiscal year 1999.

(c) **MONITORING AND NOTIFICATION.**—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) **COMPLIANCE.**—If, at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) **WAIVER.**—

(1) **EMERGENCIES.**—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) **AGENCY EFFICIENCY OR CRITICAL MISSION.**—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

(f) **EMPLOYMENT BACKFILL PREVENTION.**—

(1) **IN GENERAL.**—The total number of funded employee positions in all agencies (excluding the Department of Defense and the Central Intelligence Agency) shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under section 3 (a)-(e). For purposes of this subsection, positions and vacancies shall be counted on a full-time-equivalent basis.

(2) **RELATED RESTRICTION.**—No funds budgeted for and appropriated by any Act for salaries or expenses of positions eliminated under this subsection may be used for any purpose other than authorized separation costs.

(g) **LIMITATION ON PROCUREMENT OF SERVICE CONTRACTS.**—The President shall take appropriate action to ensure that there is no increase in the procurement of service contracts by reason of the enactment of this Act, except in cases in which a cost comparison demonstrates such contracts would be to the financial advantage of the Federal Government.

#### SEC. 6. SUBSEQUENT EMPLOYMENT AND REPAYMENT OF SEPARATION PAYMENT.

(a) **DEFENSE AGENCY SEPARATION PAY.**—Section 5597 of title 5, United States Code, is amended by adding at the end the following:



"(g)(1) An employee who receives separation pay under this section on the basis of a separation occurring on or after the date of the enactment of the Federal Workforce Restructuring Act of 1994 and accepts employment with the Government of the United States within 5 years after the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the defense agency that paid the separation pay."

"(2) If the employment is with an Executive agency, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

"(3) If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

"(4) If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

(b) CENTRAL INTELLIGENCE AGENCY SEPARATION PAYMENT.—Section 2(b) of the Central Intelligence Agency Voluntary Separation Pay Act (Public Law 103-36; 107 Stat. 104) is amended by adding at the end the following: "An employee who receives separation pay under this section on the basis of a separation occurring on or after the date of the enactment of the Federal Workforce Restructuring Act of 1994 and accepts employment with the Government of the United States within 5 years after the date of the separation on which payment of the separation pay is based shall be required to repay the entire amount of the separation pay to the Central Intelligence Agency. If the employment is with an Executive agency (as defined by section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

#### SEC. 7. STANDARDIZATION OF WITHDRAWAL OPTIONS FOR THRIFT SAVINGS PLAN PARTICIPANTS.

(a) PARTICIPATION IN THE THRIFT SAVINGS PLAN.—Section 8351(b) of title 5, United States Code, is amended—

(1) by amending paragraph (4) to read as follows:

"(4) Section 8433(b) of this title applies to any employee or Member who elects to make contributions to the Thrift Savings Fund under subsection (a) of this section and separates from Government employment."

(2) by striking paragraphs (5), (6), and (8);

(3) by redesignating paragraphs (7), (9), and (10) as paragraphs (5), (6), and (7), respectively;

(4) in paragraph (5)(C) (as so redesignated by paragraph (3) of this subsection) by striking "or former spouse" each place it appears;

(5) by amending paragraph (6) (as so redesignated by paragraph (3) of this subsection) to read as follows:

"(6) Notwithstanding paragraph (4), if an employee or Member separates from Government employment and such employee's or Member's nonforfeitable account balance is \$3,500 or less, the Executive Director shall pay the nonforfeitable account balance to the participant in a single payment unless the employee or Member elects, at such time and otherwise in such manner as the Executive Director prescribes, one of the options available under subsection (b)."; and

(6) in paragraph (7) (as so redesignated by paragraph (3) of this subsection) by striking "nonforfeiture" and inserting "nonforfeitable".

(b) BENEFITS AND ELECTION OF BENEFITS.—Section 8433 of title 5, United States Code, is amended—

(1) in subsection (b) by striking the matter before paragraph (1) and inserting the following:

"(b) Subject to section 8435 of this title, any employee or Member who separates from Government employment is entitled and may elect—"

(2) by striking subsections (c) and (d) and redesignating subsections (e) through (i) as subsections (c) through (g), respectively;

(3) in subsection (c)(1) (as so redesignated by paragraph (2) of this subsection) by striking "or (c)(4) or required under subsection (d) directly to an eligible retirement plan or plans (as defined in section 402(a)(5)(E) of the Internal Revenue Code of 1954)" and inserting "directly to an eligible retirement plan or plans (as defined in section 402(c)(8) of the Internal Revenue Code of 1986)";

(4) in subsection (d)(2) (as so redesignated by paragraph (2) of this subsection) by striking "or (c)(2)"; and

(5) in subsection (f) (as so redesignated by paragraph (2) of this subsection)—

(A) by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(B) in paragraph (1) (as so redesignated by subparagraph (A) of this paragraph)—

(i) by striking "Notwithstanding subsections (b) and (c), if an employee or Member separates from Government employment under circumstances making such employee or Member eligible to make an election under either of those subsections, and such employee's or Member's" and inserting "Notwithstanding subsection (b), if an employee or Member separates from Government employment, and such employee's or Member's"; and

(ii) by striking "or (c), as applicable"; and

(C) in paragraph (2) (as so redesignated by subparagraph (A) of this paragraph) by striking "paragraphs (1) and (2)" and inserting "paragraph (1)".

(c) ANNUITIES: METHODS OF PAYMENT; ELECTION; PURCHASE.—Section 8434(c) of title 5, United States Code, is amended to read as follows:

"(c) Notwithstanding the elimination of a method of payment by the Board, an employee, Member, former employee, or former Member may elect the eliminated method if the elimination of such method becomes effective less than 5 years before the date on which that individual's annuity commences."

(d) PROTECTIONS FOR SPOUSES AND FORMER SPOUSES.—Section 8435 of title 5, United States Code, is amended—

(1) in subsection (a)(1)(A) by striking "subsection (b)(3), (b)(4), (c)(3), or (c)(4) of section 8433 of this title or change an election pre-

viously made under subsection (b)(1), (b)(2), (c)(1), or (c)(2)" and inserting "subsection (b)(3) or (b)(4) of section 8433 of this title or change an election previously made under subsection (b)(1) or (b)(2)";

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (i) as subsections (b) through (h), respectively;

(4) in subsection (b) (as so redesignated by paragraph (3) of this subsection) by amending paragraph (2) to read as follows:

"(2) Paragraph (1) shall not apply if—

"(A) a joint waiver of such method is made, in writing, by the employee or Member and the spouse; or

"(B) the employee or Member waives such method, in writing, after establishing to the satisfaction of the Executive Director that circumstances described under subsection (a)(2) (A) or (B) make the requirement of a joint waiver inappropriate."; and

(5) in subsection (c)(1) (as so redesignated by paragraph (3) of this subsection) by striking "and a transfer may not be made under section 8433(d) of this title".

(e) JUSTICES AND JUDGES.—Section 8440a(b) of title 5, United States Code, is amended—

(1) in paragraph (5) by striking "Section 8433(d)" and inserting "Section 8433(b)"; and

(2) by striking paragraphs (7) and (8) and inserting the following:

"(7) Notwithstanding paragraphs (4) and (5), if any justice or judge retires under subsection (a) or (b) of section 371 or section 372(a) of title 28, or resigns without having met the age and service requirements set forth under section 371(c) of title 28, and such justice's or judge's nonforfeitable account balance is \$3,500 or less, the Executive Director shall pay the nonforfeitable account balance to the participant in a single payment unless the justice or judge elects, at such time and otherwise in such manner as the Executive Director prescribes, one of the options available under section 8433(b)."

(f) BANKRUPTCY JUDGES AND MAGISTRATES.—Section 8440b of title 5, United States Code, is amended—

(1) in subsection (b)(4) by amending subparagraph (B) to read as follows:

"(B) Section 8433(b) of this title applies to any bankruptcy judge or magistrate who elects to make contributions to the Thrift Savings Fund under subsection (a) of this section and who retires before attaining age 65 but is entitled, upon attaining age 65, to an annuity under section 377 of title 28 or section 2(c) of the Retirement and Survivors Annuities for Bankruptcy Judges and Magistrates Act of 1988.";

(2) in subsection (b)(4)(C) by striking "Section 8433(d)" and inserting "Section 8433(b)";

(3) in subsection (b)(5) by striking "retirement under section 377 of title 28 is" and inserting "any of the actions described under paragraph (4) (A), (B), or (C) shall be considered";

(4) in subsection (b) by striking paragraph (8) and redesignating paragraph (9) as paragraph (8); and

(5) in paragraph (8) of subsection (b) (as so redesignated by paragraph (4) of this subsection)—

(A) by striking "Notwithstanding subparagraphs (A) and (B) of paragraph (4), if any bankruptcy judge or magistrate retires under circumstances making such bankruptcy judge or magistrate eligible to make an election under subsection (b) or (c)" and inserting "Notwithstanding paragraph (4), if any bankruptcy judge or magistrate retires under circumstances making such bankruptcy judge or magistrate eligible to make an election under subsection (b)"; and

(B) by striking "and (c), as applicable".  
(g) CLAIMS COURT JUDGES.—Section 8440c of title 5, United States Code, is amended—

(1) in subsection (b)(4)(B) by striking "Section 8433(d)" and inserting "Section 8433(b)";  
(2) in subsection (b)(5) by striking "retirement under section 178 of title 28 is" and inserting "any of the actions described in paragraph (4) (A) or (B) shall be considered";

(3) in subsection (b) by striking paragraph (8) and redesignating paragraph (9) as paragraph (8); and

(4) in paragraph (8) (as so redesignated by paragraph (3) of this subsection) by striking "Notwithstanding paragraph (4)(A)" and inserting "Notwithstanding paragraph (4)".

(h) JUDGES OF THE UNITED STATES COURT OF VETERANS APPEALS.—Section 8440d(b)(5) of title 5, United States Code, is amended by striking "A transfer shall be made as provided in section 8433(d) of this title" and inserting "Section 8433(b) of this title applies".

(i) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 8351(b)(5)(B) (as so redesignated by subsection (a)(3) of this section) by striking "section 8433(i)" and inserting "section 8433(g)";

(2) in section 8351(b)(5)(D) (as so redesignated by subsection (a)(3) of this section) by striking "section 8433(i)" and inserting "section 8433(g)";

(3) in section 8433(b)(4) by striking "subsection (e)" and inserting "subsection (c)";

(4) in section 8433(d)(1) (as so redesignated by subsection (b)(2) of this section) by striking "(d) of section 8435" and inserting "(c) of section 8435";

(5) in section 8433(d)(2) (as so redesignated by subsection (b)(2) of this section) by striking "section 8435(d)" and inserting "section 8435(c)";

(6) in section 8433(e) (as so redesignated by subsection (b)(2) of this section) by striking "section 8435(d)(2)" and inserting "section 8435(c)(2)";

(7) in section 8433(g)(5) (as so redesignated by subsection (b)(2) of this section) by striking "section 8435(f)" and inserting "section 8435(e)";

(8) in section 8434(b) by striking "section 8435(c)" and inserting "section 8435(b)";

(9) in section 8435(a)(1)(B) by striking "subsection (c)" and inserting "subsection (b)";

(10) in section 8435(d)(1)(B) (as so redesignated by subsection (d)(3) of this section) by striking "subsection (d)(2)" and inserting "subsection (c)(2)";

(11) in section 8435(d)(3)(A) (as so redesignated by subsection (d)(3) of this section) by striking "subsection (c)(1)" and inserting "subsection (b)(1)";

(12) in section 8435(d)(6) (as so redesignated by subsection (d)(3) of this section) by striking "or (c)(2)" and inserting "or (b)(2)";

(13) in section 8435(e)(1)(A) (as so redesignated by subsection (d)(3) of this section) by striking "section 8433(i)" and inserting "section 8433(g)";

(14) in section 8435(e)(2) (as so redesignated by subsection (d)(3) of this section) by striking "section 8433(i) of this title shall not be approved if approval would have the result described in subsection (d)(1)" and inserting "section 8433(g) of this title shall not be approved if approval would have the result described under subsection (c)(1)";

(15) in section 8435(g) (as so redesignated by subsection (d)(3) of this section) by striking "section 8433(i)" and inserting "section 8433(g)";

(16) in section 8437(c)(5) by striking "section 8433(i)" and inserting "section 8433(g)"; and

(17) in section 8440a(b)(6) by striking "section 8351(b)(7)" and inserting "section 8351(b)(5)".

(j) EFFECTIVE DATE.—This section shall take effect 1 year after the date of the enactment of this Act or on such earlier date as the Executive Director of the Federal Retirement Thrift Investment Board shall provide in regulation.

#### SEC. 8. AMENDMENTS TO ALASKA RAILROAD TRANSFER ACT OF 1982 REGARDING FORMER FEDERAL EMPLOYEES.

(a) APPLICABILITY OF VOLUNTARY SEPARATION INCENTIVES TO CERTAIN FORMER FEDERAL EMPLOYEES.—Section 607(a) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1206(a)) is amended by adding at the end the following:

"(4)(A) The State-owned railroad shall be included in the definition of 'agency' for purposes of section 3 (a), (b), (c), and (e) of the Federal Workforce Restructuring Act of 1994 and may elect to participate in the voluntary separation incentive program established under such Act. Any employee of the State-owned railroad who meets the qualifications as described under the first sentence of paragraph (1) shall be deemed an employee under such Act.

"(B) An employee who has received a voluntary separation incentive payment under this paragraph and accepts employment with the State-owned railroad within 5 years after the date of separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive payment unless the head of the State-owned railroad determines that the individual involved possesses unique abilities and is the only qualified applicant available for the position."

(b) LIFE AND HEALTH INSURANCE BENEFITS.—Section 607 of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1206) is amended by striking subsection (e) and inserting the following:

"(e)(1) Any person described under the provisions of paragraph (2) may elect life insurance coverage under chapter 87 of title 5, United States Code, and enroll in a health benefits plan under chapter 89 of title 5, United States Code, in accordance with the provisions of this subsection.

"(2) The provisions of paragraph (1) shall apply to any person who—

"(A) on the date of the enactment of the Federal Workforce Restructuring Act of 1994, is an employee of the State-owned railroad;

"(B) has 20 years or more of service (in the civil service as a Federal employee or as an employee of the State-owned railroad, combined) on the date of retirement from the State-owned railroad; and

"(C)(i) was covered under a life insurance policy pursuant to chapter 87 of title 5, United States Code, on January 4, 1985, for the purpose of electing life insurance coverage under the provisions of paragraph (1); or

"(ii) was enrolled in a health benefits plan pursuant to chapter 89 of title 5, United States Code, on January 4, 1985, for the purpose of enrolling in a health benefits plan under the provisions of paragraph (1).

"(3) For purposes of this section, any person described under the provisions of paragraph (2) shall be deemed to have been covered under a life insurance policy under chapter 87 of title 5, United States Code, and to have been enrolled in a health benefits plan under chapter 89 of title 5, United States Code, during the period beginning on January 5, 1985, through the date of retirement of any such person.

"(4) The provisions of paragraph (1) shall not apply to any person described under paragraph (2) until the date such person retires from the State-owned railroad."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the gentleman from Indiana [Mr. MYERS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on February 10, 1994, this body passed H.R. 3345, the Federal Workforce Restructuring Act, by a vote of 391 to 17. H.R. 3345 reduces overall Federal employment by 252,000 positions and authorizes Federal agencies to offer separation incentives to their employees of up to \$25,000 in order to accomplish this reduction. As passed by the House, it created a short-term increase in direct spending by the Federal Government, but, over the long term it actually reduces direct spending and it reduces discretionary spending by over \$22 billion. For this reason, the House waived points of order against the legislation and overwhelmingly passed the bill.

Regrettably, the other body disagreed with the legislation we passed and attached provisions which rendered the separation incentive program useless to Federal agencies. In fiscal year 1994, rather than promoting voluntary separations as intended by this legislation, the Senate amendment to H.R. 3345 effectively requires that agencies rely upon involuntary separations.

The amendment I am asking the House to adopt today addresses the direct spending concern of the Senate in a manner that will ensure agencies are not precluded from using separation incentives to encourage voluntary separations. Specifically, my amendment requires all agencies to pay 9 percent of the employee's salary to the civil service retirement fund in fiscal years 1994 and 1995 for each employee who accepts a buy-out and takes early retirement. The amendment further provides that in each of fiscal years 1995 through 1998, agencies shall pay into the retirement fund \$80 times the number of active workers participating in the civil service or Federal Employees Retirement Systems. Over the 5-year period beginning in 1994, this formula will offset the entire direct spending costs associated with the separation incentive payments. It also guarantees that the costs to an agency of encouraging voluntary separations are comparable to the costs an agency otherwise would incur if it accomplished the same reductions through involuntary separations.

When the House initially considered H.R. 3345, it adopted an amendment offered by Mr. PENNY, Mr. BURTON, and Mr. SOLOMON. The amendment I am



now offering includes provisions identical to the Penny-Burton-Solomon amendment. In addition to reducing overall Federal employment by 252,000 positions, the Penny-Burton-Solomon amendment required that agencies reduce their personnel on a one-for-one basis for every buyout offer that is accepted. The amendment presently before the House retains that exact language. The Penny-Burton-Solomon amendment also required that those who accept a buyout and return to Government service within a 5-year period must pay back the full incentive payment. This amendment contains identical language.

Mr. Speaker, it is imperative that we enact this legislation in the next few days so that Federal agencies may make maximum use of the buyout authority and avoid involuntary separations.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I rise in strong support of this legislation. It is critical that we pass it today, move it on and, hopefully, have the Senate pass it so we can avoid, if it all possible, involuntary separations which are costly for the Government and very unfair to our employees, and I want to congratulate the gentleman from Missouri [Mr. CLAY] for his leadership on this issue. He has worked, I know, he and his staff, very hard to get us to this point in time, and I also want to thank the ranking member, the gentleman from Indiana [Mr. MYERS], my good friend, who has also worked very hard and very constructively to get us to this point.

Mr. Speaker, I urge immediate passage of this legislation.

Mr. Speaker, I rise today to commend Chairman CLAY for his efforts to resolve the deadlock that has been reached regarding the buyout for Federal Employees.

There is no question that if we do not act today, and resolve this issue this week, that most Federal agencies will face the very wrenching and disruptive procedure of carrying out reductions in force to stay within their appropriated amounts for salaries and expenses.

The Senate version of this legislation had two key differences from the House passed version, which was adopted by a vote of 391 to 17 a few weeks ago. First, the Senate required the bill to be paid for within the 5-year timeframe scored by CBO. Chairman CLAY has met that test and developed a reasonable method for meeting the pay-go test. The Senate should accept this compromise.

Mr. Speaker, Chairman CLAY has fashioned a bill that meets the pay-go test in full; adopts germane Senate amendments; and meets the test for the Government to act as a responsible employer.

This bill allows for targeted cuts—that can be selectively applied, to accomplish the maximum savings and efficiencies without jeopard-

izing the effective delivery of Government services.

I urge its adoption.

Mr. CLAY. Mr. Speaker, I reserve the balance of my time.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this compromise worked out by our chairman, the gentleman from Missouri [Mr. CLAY], with strong help from the gentleman from Maryland [Mr. HOYER], both of whom have worked very hard, not only recently trying to work out a compromise with the Senate, but also in developing this bill to the point where we are now.

Mr. Speaker, the gentleman from Missouri [Mr. CLAY] has very accurately described what is in this. The important thing is that this legislation, now offered as a compromise, provides all the protection for any possible abuse that might happen if employees took the \$25,000, came back to work for the agency. They cannot do that. It protects the taxpayers in this respect. It also has the right of coming back in for contract. It also gives that protection, but it is a fair way to approach this.

Wearing my other hat on the Committee on Appropriations where I serve, Mr. Speaker, I asked a number of the Secretaries of the Departments coming before our Committee on Appropriations what impact, how this legislation would work, and all have testified exactly the same way with the same kind of testimony. They are faced with a situation of having to bring down their work force by 252,000 in the next 5 years. If they have to do it by RIF, it will be very unfair to the Federal employees. It also would be unfair to their agencies because they would probably take the key people from the top, some of whom had to be kept so this voluntary program of buyout is a more equitable way. But I also asked them about this more reasonable way of paying for those who are purchased, if I may use that. Their retirement is purchased for early retirement, so we give these employees up to \$25,000 encouragement to retire. How are they going to pay for it? All have said the same thing.

The 9 percent would be a burden if it is not passed very, very quickly. Those retirements have to come very early in the fiscal year, or they are going to have difficulty paying for it by the 9 percent because the agencies are going to have to come up with a 9-percent payment. So, if they can have a savings early in the year, and it is getting very close right now to where it would probably—those agencies would have to come back in for a supplemental. So, if we do it right away, we can avoid the necessity of having a supplemental appropriation request from the various agencies who will have a number of employees that will take advantage.

They also say that expected retirements have been delayed. People they thought probably would retire are waiting to see what this program is going to do, so the consequences are they are carrying people on the payroll. They would not have to if we soon get this passed. So I think this is a very fair compromise. I hope the other body will accept this.

I think that we have to compliment a lot of people, but particularly the gentleman from Missouri [Mr. CLAY] and the gentleman from Maryland [Mr. HOYER]. We thank them for their help in working out this compromise and just hope it works.

Mr. CLAY. Mr. Speaker, I thank the gentleman from Indiana [Mr. MYERS] for his work on this measure. He has been very helpful to us.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. McCLOSKEY].

Mr. McCLOSKEY. Mr. Speaker, I rise in support of the compromise.

Mr. Speaker, total chaos will prevail in the Federal Government if the deadlock on the Federal Workforce Restructuring Act—H.R. 3345—is not broken. Last month, the House passed with bipartisan support H.R. 3345 to provide buyouts to Federal workers after a hearing on the restructuring of the Federal Government at which an unprecedented 15 Federal agencies testified about the dire need to approve separation incentive payments. The agencies all testified that without this legislation reductions in force [RIF] would occur in the Federal Government, and their effect would be devastating.

Following House action, the Senate passed a significantly different version of H.R. 3345. Since then, because of the deadlock between the House and Senate, agencies have already begun to announce that RIF's will occur. The Office of Personnel Management has sent out RIF notices to 523 employees, and it is possible that RIF's also will happen at NASA and in the Department of the Interior.

When the Senate passed H.R. 3345, their amendment rendered it useless for this fiscal year. The amendment also made it difficult in the future for agencies to offer the incentive by increasing the amount of the employee's salary agencies must pay into the retirement fund from 9 percent to 26 percent. Because of these changes, the Senate bill simply will not prevent RIF's in the Federal Government.

The Clay compromise is a well thought out bill that retains the original language requiring agencies to pay only 9 percent of the employee's salary into the civil service retirement fund. To fund the \$519 million in direct spending cost that the Senate requires must be paid, the Clay compromise proposes all executive branch agencies pay \$80 per year to the civil service retirement fund for each active employee who participates in FERS or CSRS for fiscal years 1995 through 1998.

Unlike the Senate bill which mandates the savings from reducing the size of the work force be used to fund the crime bill, the Clay bill does not specify how the bill's savings should be used. This should not be part of the buyout debate, and should be considered in

the context of anticrime legislation. The Clay compromise allows the House to complete its consideration of the crime bill before any funding mechanisms are considered.

I want to stress again that without this legislation, RIF's will occur in the Federal Government and in many congressional districts. For those of my colleagues who are unclear about RIF's, RIF's are another term for layoffs, and are used to reduce Federal employment by allowing more senior employees to bump more junior employees from their positions. They are time consuming, costly, demoralizing to the work force, provide little benefit to an agency or an employee, hamper productivity, and wreak havoc on the diversity of the workplace.

I urge my colleagues to support this legislation. It will be a travesty to the American taxpayer if buyout authority fails.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

□ 1230

Ms. NORTON. Mr. Speaker, this is the second time on the floor for H.R. 3345, and we're coming in just under the wire if chaotic layoffs are not to replace planned buyouts. To their credit, the minority in this body understood that nothing should stand in the way of a \$22 billion savings this buyout bill gives the Government. Imitating the private sector and adopting a cardinal market rule, we voted to invest \$519 million up front to reap a dividend of \$22 billion. Since there are no free lunches, the huge return on this investment seemed especially generous.

It took the other body longer to get it, but with the skilled leadership of Chairman CLAY, it looks as if we may finally have an irresistible deal. On buyouts, however, the chickens have tended to hatch prematurely, so all fingers are naturally crossed.

I certainly hope it will not be too late for 520 OPM employees who got layoff—reductions-in-force or RIF—notice 1 week ago. If OPM acts immediately with sufficient management skill, the agency can surely turn around at least some of those layoff notices.

The creative and uncomplicated Clay compromise has paved the way for resolution of a stalemate that has almost derailed buyout legislation. Without this bill, of course, all of the other savings—billions more than the buyout personnel savings—will be lost as well. This is because the NPR depends on a reduction of employees in order to accomplish the extensive revision and rearrangement of Government functions that is at the heart of the Gore proposals to reinvent Government itself. Finally, when H.R. 3345 travels to the Senate it must be allowed to stand on its own. Surely Federal employees deserve an up and down vote on buyouts alone. We have kept Federal workers waiting too long already.

Mr. MYERS of Indiana. Mr. Speaker, I yield such time as she may consume

to the gentlewoman from Maryland [Mrs. MORELLA], a very valued member of this committee who has worked very hard on this issue as well because she does have a great many Federal employees.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I simply want to indicate that it is about time we make the kind of inroads necessary on this buyout bill. In the proposal before us for the budget, there is a reduction of Federal employees to the tune of 118,000 through 1995, and if we do not pass this bill, the Clay compromise, as we call it, then we are going to have to RIF—reduction in force—those people who were last hired. It is going to end up being women and minorities. They are not going to be the middle-management people, as the reinvent Government proposal had devised. So it is going to defeat the purpose completely.

Although the Clay compromise may not be perfect, it is the very best we can do at this time. I know that Chairman CLAY has worked very hard on it so we would have something in a timely manner. There is nothing else we can do, with the adamancy that we see on the other side, except to pass this bill.

Mr. Speaker, I want to congratulate Chairman CLAY and our ranking member, the gentleman from Indiana [Mr. MYERS]. We have all worked together on this in our committee to come up with something that would be workable. So I ask this House to approve the Clay compromise.

Mr. MYERS of Indiana. Mr. Speaker, I thank the gentlewoman from Maryland [Mrs. MORELLA] for her comments and for her contribution in making this a reality today, and I yield back the balance of my time.

Mr. MFUME. Mr. Speaker, I rise today in strong support of the legislation before us and urge its immediate passage as well as its swift enactment into law.

As we all know, within the last month different versions of the bill before us have passed both the House and the Senate. Today we have yet a third version, a compromise version, which, like the other version that passed this House is a fiscally responsible and humane answer to a difficult question.

The fact of the matter is that both the administration and Congress have committed themselves to reducing the Federal work force by 252,000 people. The question we are, therefore, faced with is how to achieve this goal in a fiscally responsible manner that will enable the Federal agencies to downsize in a cohesive and efficient manner while, at the same time, being sensitive to the needs of Federal employees.

Like its predecessor the bill before us meets all of these goals and, for that reason that it has enjoyed strong bipartisan support in both bodies.

As we all know, the alternative to this legislation is reductions in force, or RIF's. RIF's are

not only fiscally undesirable, but they also result in agencies being unable to reduce their personnel numbers in a cohesive and management-efficient manner. Furthermore, as illustrated by a recent report by the General Accounting Office, RIF's result in a disproportionate number of blacks and minorities being dismissed.

Mr. Speaker, colleagues, as I said earlier I strongly support this legislation and I urge its swift enactment. The longer we wait the more likely RIF's will be and the less money that is ultimately saved by the Federal Government. This legislation is not perfect, but it's a responsible answer to a difficult question.

Mr. MONTGOMERY. Mr. Speaker, as we move to impose reductions in the Federal work force, we must be careful not to require across-the-board reductions throughout the Government. As I said when I introduced a measure on Federal work force reductions last month, the policy of making the Veterans Health Administration subject to across-the-board cuts now being implemented by the administration does not make any sense.

The Department of Veterans Affairs employs approximately 11 percent of the Federal civilian work force. If you walk into a VA outpatient clinic today, VA officials will tell you that they have rationed care or told some veterans that they will have to get care elsewhere. Although the proposed Health Security Act (H.R. 3600) might resolve some of these problems, the demand for VA services today is far greater than the VA's capacity to provide them.

VA needs to have flexibility in meeting the future work force needs of its health care system. If this country is going to honor its commitment to provide health care to our Nation's veterans, we should take steps to increase the VA's ability to provide care to veterans who want it.

If VA were forced to reduce the number of its employees by 5,000 every year for the next 5 years, it would have to tell even more veterans to get their health care somewhere else. I want the VA to be able to provide health care in the same manner as private health-care providers. But if we insist that the VA participate in these across-the-board cuts the same as every other Federal agency, the VA isn't going to make it.

Forcing the VA to begin shrinking services to veterans, when it should be making VA health care more accessible, is bad policy for veterans and for this Nation. The only reason for reducing the size of the VA work force is if veterans stop demanding care from the VA.

VA is a safety net for disabled and poor veterans. There is nothing in this bill that assures these veterans health care from other sources if the VA loses 25,000 employees. Therefore, I want to tell my colleagues that this work force reduction should not be implemented in an across-the-board fashion. As the GAO said:

Across-the-board reductions that do not recognize the differing capacities of agencies to absorb such cuts could significantly exacerbate existing gaps in agencies' abilities to meet their missions. As the overall level of Federal employment is reduced, downsizing efforts need to allow for adding high quality staff to those agencies where shortages of properly skilled staff are hampering their effectiveness.



At a hearing held by our committee today, the representatives of almost 3 million veterans who depend on VA for their health care argued very vehemently against making VA subject to these across-the-board cuts in employment.

VA hospitals are not bloated bureaucracies. They are institutions which provide compassionate care to poor and disabled veterans. Many of these veterans are suffering from diseases such as mental illness, alcoholism, or other diseases which some community hospitals either disdain or find unprofitable. People are the lifeblood of a hospital. Eliminating staff from a hospital's workforce means shutting down the wards in which care is provided. We can't fool ourselves into thinking that because a profit-making multinational corporation can reduce its workforce and increase profits that we can streamline VA hospitals that serve as a safety net for our veterans.

As the Vice President's report on "Reinventing Government" noted:

FTE ceilings are frequently arbitrary, rarely account for challenging circumstances, and are normally imposed as across-the-board percentage cuts in FTEs for all of an agency's units. . . . The President should direct OMB and agency heads to stop setting FTE ceilings in fiscal year 1995. . . . Instead of controlling the size of the federal workforce by employment ceilings—which cause inefficiencies and distortions in managers' personnel and resource allocation decisions—[the Executive branch should] control the federal workforce by dollars available in operating funds.

I agree with the Vice President's report, and would also note, as I did when I introduced H.R. 3808, that management flexibility is the key to reinventing the VA as an efficient health care provider in the future. Thus, as I have discussed with Chairman Clay, I plan to pursue House action on this measure to exempt VA from across-the-board cuts in the near future. To do otherwise is to breach the commitment that was made to veterans when we agreed to try to reform the VA health care system.

Mr. CLAY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. KLING). The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and agree to the resolution, House Resolution 380.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just considered and agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### 1994 TRADE POLICY AGENDA AND ANNUAL REPORT FOR 1993 ON THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means:

*To the Congress of the United States:*

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1994 Trade Policy Agenda and 1993 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1994.

#### REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

*To the Congress of the United States:*

As required by section 19(3) of Public Telecommunications Act of 1992 (Public Law 102-356), I transmit herewith the report of the Corporation for Public Broadcasting.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 8, 1994.

#### WHITEWATER

(Mr. MICHEL asked and was given permission to address the House for 1 minute, and include extraneous matter.)

Mr. MICHEL. Mr. Speaker, until now I have not made any public comment on the growing Whitewater scandal except to ask the Speaker to hold hearings in the House.

I believe such hearings would carry out our constitutional duties of oversight and I still believe they would be useful.

But I feel it necessary today to address ill-advised allegations made by President Clinton yesterday that the Whitewater affair is somehow the product of what he calls hysteria generated by Republicans.

May I respectfully suggest that charges of hysteria by the President may be the only signs of hysteria this case has thus far generated.

Since he did not specifically identify any example of this alleged hysteria it

is difficult to know to whom or what he was referring.

What I do know is that every major investigation made by the media—hardly known for their Republican sympathies—has uncovered many important questions about Whitewater.

There are also a growing number of questions that need to be answered about how the White House has dealt with the affair.

The President saw fit to chastise Republicans for what he terms "careless use of language and careless use of the facts." Those charges certainly cannot be directed at our colleague JIM LEACH of Iowa who has been very cautious and scrupulous about what he has said on the issue.

Perhaps it would be best for a bipartisan congressional hearing to look into the question of just who has been careless in language in facts and in other matters.

I do not believe such a request is hysterical. I believe it is, instead, a commonsense view that should be shared by both parties.

I realize that Special Counsel Robert B. Fiske does not favor congressional hearings into Whitewater and has set forth his reasons in a letter to our colleague, JIM LEACH of Iowa, ranking minority member of the House Banking Committee.

At this point I am inserting in the RECORD Mr. LEACH's reply to Mr. Fiske's request, as well as my letter of January 25, addressed to the Speaker, requesting hearings. I believe our colleagues will discover that there are very important reasons why a congressional hearing or hearings on Whitewater should be held:

COMMITTEE ON BANKING, FINANCE

AND URBAN AFFAIRS,

Washington, DC, March 7, 1994.

ROBERT B. FISKE, JR.,  
Independent Counsel, Office of the Independent  
Counsel, Little Rock, AR.

DEAR MR. FISKE: Thank you for the courtesy of your call today alerting me to your letter urging no congressional hearings into Madison/Whitewater. As I indicated, your request that the Banking Committee not hold hearings in the areas covered by the grand jury's ongoing investigation would have a "chilling" effect on the role of congressional oversight.

I understand your concern for the integrity of the criminal justice process. However, the public's concerns, such as the integrity of the regulatory system, abuse of Executive Branch power, and the need for legislative remedies, are broader than just those issues and events which rise to the level of criminal wrongdoing. In addition, agencies of the government as well as the White House have precise rules that govern their employees. Prohibitions against giving preferential treatment to any individual, losing independence or impartiality, or making decisions outside official channels appear to have patently been violated in recent months. Few issues would be more appropriate for congressional review. The Banking Committee not only has the authority but the obligation to conduct investigatory hearings into Madison/Whitewater. The key is to

ensure your ongoing investigation is assisted not undercut.

As for the contention that we should not subpoena people related to your investigation, the irony stands out: it was a congressional hearing on the Senate side that produced the acknowledgement that meetings took place between the Treasury and the White House concerning criminal referrals relating to Madison. If it had not been for the Senate hearing producing this troubling information, your office would have had no basis to issue the White House and Treasury subpoenas on Friday. Furthermore, from a historical perspective congressional committees met at the same time Archibald Cox investigated Watergate. It was Senator Sam Ervin's congressional investigation which brought out the existence of the Watergate tapes, an integral finding for the Watergate prosecutor.

The Constitution, numerous Supreme Court precedents, and statutes clearly establish Congress's investigatory power as an essential component of its legislative function.

To honor the request in your letter would be an abdication of Congress's investigative responsibility and be in direct contravention to precedent. The pendency or prospect of criminal litigation does not serve as a basis to decline congressional demands for information either in the form of document production or testimony. For instance, in addition to the congressional hearings concerning Iran-Contra and Watergate, the House Banking Committee recently conducted hearings on BNL, BCCI, Lincoln Savings, Silverado, and other failed financial institutions while the Executive Branch was pursuing law enforcement.

Inherently, Committee hearings do not necessarily pose a threat to the integrity of the grand jury process. In the Iran-Contra circumstance, Congress's granting of immunity to key witnesses was troublesome, but I see no reason the Banking Committee should consider offering any individuals immunity in this hearing. Furthermore, the Committee has hearing rules which allow for the protection of confidential and potentially defamatory material.

The establishment of the independent counsel office does not relieve the Congress of either its broad constitutional responsibility to provide oversight of the Executive Branch or its specific duties as prescribed by law. In balancing competing interests, the public's right to know should not be overwhelmed by your prosecutorial strategies. Indeed, I'd be surprised if a hearing process did not enhance your office's knowledge of the issues at stake. No credible possibility exists that any hearing the House Banking Committee holds would undercut your investigatory efforts or compromise your ability to pursue these matters with the utmost vigor.

Sincerely,

JAMES A. LEACH,  
Ranking Member,

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE REPUBLICAN LEADER,  
Washington, DC, January 25, 1994.

Hon. THOMAS FOLEY,  
Speaker, House of Representatives, The Capitol,  
Washington, DC.

DEAR MR. SPEAKER: As you know, Senator Dole and I requested on January 12, 1994 that a select committee be established to look into the Whitewater/Madison circumstances. Later that day, the White House announced that it would call for a special counsel on the matter. Accordingly, as a result of the Jus-

tice Department's willingness to pursue an investigation of Whitewater/Madison through a special counsel, on behalf of the Republican Leadership I have decided not to pursue the establishment of a select committee at this time. It remains the view of the Minority, however, that relevant committees of Congress would be abdicating their constitutional oversight obligation if they refuse to delve into and hold hearings on the issues surrounding the Whitewater/Madison affair.

From the Banking Committee's perspective, the issues surrounding the Madison case involve the possible malfeasance of state regulation of thrifts, public ethics, and accountability for the S&L debacle. Specifically, there are a number of legislative and regulatory aspects relating directly to the failure and resolution of Madison Guaranty that should be investigated. These inquiries include whether there were insider loan abuses, whether sound underwriting standards were followed and whether Madison made political contributions, gifts or improper personal loans with insured deposits. Other lines of inquiry include the timeliness of the actions of state and federal regulators and the extent to which breaches of professional responsibility and numerous conflicts of interest by accountants, law firms and federal regulators contributed to Madison Guaranty's failure. Most troubling is the abuse of a federally-insured institution by a state political system which, in the end, resulted in losses to all the taxpayers.

From the Small Business Committee's perspective, there appear to be numerous abuses of an SBA program and the misuse of SBA funds. The Committee should continue to look into the failure of Capital Management Services, Inc. and the SBA's oversight of this specialized small business investment company (SSBIC). The Committee should investigate whether SSBIC loans, which are supposed to be targeted for socially and economically disadvantaged borrowers, were improperly granted. Further, claims that high government officials unduly pressured Capital Management into making improper loans should be investigated. Finally, it appears that a loan to a Madison related party was improperly used by the Whitewater Development Corporation. There appear to be numerous links between the now defunct Capital Management and the failed Madison Guaranty including several projects on which both Capital Management and Madison made loans which later defaulted.

From the Judiciary Committee's perspective, the Madison case provides a number of oversight issues, including the adequacy of the Justice Department's investigation of Madison Guaranty prior to the recusal of the U.S. Attorney in Little Rock; the Justice Department's overall record in handling criminal referrals from federal banking agencies; implications of the statute of limitations for S&L crimes; renewal of the Independent Counsel law and its implications on Special Counsel Fiske; and, finally, the conflicts that arise from the government's contracting out for legal services.

Finally, let me stress it has been the longstanding view of the Minority party that the committee with the largest oversight jurisdiction, the Government Operations Committee, should be the one committee in Congress controlled by the Minority party. This is particularly important for such circumstances as we find today where the Majority party is the same as that of the Administration and both desire to limit oversight because of concern for embarrassment to the leadership of that party.

The public's interest, above all circumstances of this matter, is for full disclosure. As you know, in oversight of a series of banking and savings and loan failures over the last decade, congressional hearings proceeded while Justice Department investigations were underway. For example, congressional hearings on Lincoln Savings and Loan and Silverado Savings ran concurrently with Justice Department investigations and did not impede or hinder prosecutorial efforts. The Minority would continue to be exceedingly sensitive to the problems attendant to the possibility of interfering with Justice Department inquiries in this matter.

Accordingly, I would urge you to direct the committees of jurisdiction to proceed in an orderly fashion with responsible oversight investigations and hearings on Whitewater/Madison.

Sincerely,

BOB MICHEL,  
Republican Leader.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### REDUCTION IN REGULATORY CONTROL OF FEDERAL RESERVE BOARD IS SUBJECT OF PROPOSED LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, through a combination of aggressive—and inappropriate—lobbying and strong-arm scare tactics, the Federal Reserve is engaging in an all-out crusade to sink the administration's plan to consolidate and modernize banking regulation. So far, few have been willing to challenge the Fed—particularly after a visit from their friendly local banker. The truth be known, the Fed is not worried about the continued existence of the dual banking system, or about being a less effective central banker. Rather, the Fed doesn't want to lose the Rasputin-like control it has over the banks it regulates.

The administration's Consolidation Act of 1994 makes banking more efficient and reduces the number of separate Government agencies necessary to examine each federally insured bank. In his effort to thwart this reform, Federal Reserve Chairman Alan Greenspan uncharacteristically wrote an editorial for the Wall Street Journal attacking the administration's plan. He talked about the need for "hands-on bank supervision," though Chairman Greenspan failed to tell us where the Fed really has its hands when it comes to supervising banking competition.

To understand what the Federal Reserve is really talking about, I ask you to consider the scope of regulation in



which the Federal Reserve is now embroiled. The Federal Reserve has complete authority to regulate bank holding companies, which are companies owning one or more commercial banks. This authority extends to banks with 93 percent of the assets in the private banking system, a statistic which may come as a surprise.

More than 6,000 bank holding companies control about 85,000 federally insured private commercial banks with approximately 93 percent of the assets of all insured commercial banks in the United States at the end of 1992, according to Federal Reserve records.

What does this kind of regulation involve? Take a large bank holding company seeking to buy a number of banks, for example. The holding company must first get permission from the Federal Reserve, then, the Federal Reserve must determine if these bank purchases will seriously reduce competition.

The Federal Reserve Bank overseeing the bank holding company makes this decision. Yet, indirectly, the banking industry ends up having a say in this decision. All actions of the Federal Reserve Bank, of which there are 12 around the country, must be approved by the nine members of the board of directors, six of whom are elected by the Federal Reserve member banks in the area. The president of the Federal Reserve Bank is also elected by this board of directors, which is top-heavy with bankers.

I have received reports of candidates campaigning for the position of president of a Federal Reserve Bank by visiting the private banks in the area to gain support. There is no doubt that the Federal Reserve Banks' favored constituents are the very banks they supervise. Clearly this gives rise to possible conflicts of interest.

CEO's of bank holding company officials must play the Federal Reserve game if they are to be successful in buying up competing institutions. They must get friendly people on the boards of directors of the regional Federal Reserve Banks. This is useful because when bank holding companies want to buy competitive banks, they have their people positioned inside the Federal Reserve and when they want to block competitors from buying up banks they also can rely on their representatives inside the Federal Reserve to represent their interests.

This Federal Reserve power to regulate holding companies has virtually nothing to do with the kind of bank examination Chairman Greenspan would lead us to believe he needs for hands-on regulatory authority. The Federal Reserve determines competition in the banking system. In such an incestuous relationship the Federal Reserve does not hesitate to call on many of its regulated banks to add to Chairman Greenspan's clamor to block a single,

streamlined, independent banking commission of the type proposed by the administration and which I have advocated in my proposed legislation, H.R. 1214.

The only hands that should be on Federal bank regulation are those of neutral bank regulators. The Federal banking regulators should not have to campaign for the votes of the banks they are regulating, as is the case in our present Federal Reserve System. The Federal Reserve System is definitely broken and needs fixing and those who claim the present system is apolitical do not understand how it operates. I urge my colleagues to question the Fed's arguments and motives before throwing their hats into the Fed's exclusive ring.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the Chair declares the House in recess until 5 p.m. today.

Accordingly (at 12 o'clock and 43 minutes p.m.) the House stood in recess until 5 p.m.

□ 1703

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FIELDS of Louisiana) at 5 o'clock and 3 minutes p.m.

#### REQUEST FOR COMMITTEE ON BUDGET TO FILE REPORT ON FISCAL YEAR 1995 BUDGET RESOLUTION

Mr. SABO. Mr. Speaker, I ask unanimous consent that the Committee on the Budget may have until midnight tonight to file its report on the fiscal year 1995 budget resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

Mr. ALLARD. Mr. Speaker, reserving the right to object, we would like to have a clarification on the request. I would ask if the gentleman would withdraw the request until we have an opportunity to take it under advisement.

Mr. SABO. Mr. Speaker, if the gentleman will yield, I have visited with the gentleman from Ohio [Mr. KASICH] about this. But I will withdraw the request temporarily.

Mr. ALLARD. If the gentleman will withdraw until we have had an opportunity to confer with the gentleman from Ohio [Mr. KASICH], then perhaps later on this evening the gentleman can make this request again.

Mr. SABO. Mr. Speaker, I withdraw the request temporarily.

The SPEAKER pro tempore. The request is withdrawn.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending

business is the question of the Speaker's approval of the Journal of the last day's proceedings.

Mr. ALLARD. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ALLARD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 211, nays 132, not voting 90, as follows:

[Roll No. 42]

YEAS—211

Abercrombie	Furse	Mazzoli
Ackerman	Gedjenson	McCurdy
Andrews (NJ)	Gephardt	McDermott
Applegate	Gillmor	McHale
Baessler	Gilman	McInnis
Barca	Glickman	McKinney
Barcia	Gonzalez	McNulty
Barlow	Gordon	Meek
Barrett (WI)	Greenwood	Menendez
Bateman	Gutierrez	Mfume
Beilenson	Hall (OH)	Mineta
Bevill	Hamburg	Minge
Bilbray	Hamilton	Mink
Bishop	Harman	Mollohan
Bonior	Hayes	Montgomery
Borski	Hefner	Moran
Boucher	Hinchey	Myers
Brewster	Hoagland	Neal (NC)
Browder	Hochbrueckner	Nussle
Brown (FL)	Holden	Oberstar
Brown (OH)	Hoyer	Oliver
Byrne	Hughes	Orton
Callahan	Hutto	Owens
Cantwell	Inglis	Oxley
Cardin	Inslee	Pallone
Carr	Jefferson	Parker
Chapman	Johnson (GA)	Pastor
Clayton	Johnson (SD)	Payne (VA)
Clement	Johnston	Pelosi
Clinger	Kanjorski	Penny
Clyburn	Kaptur	Peterson (FL)
Collins (IL)	Kasich	Peterson (MN)
Collins (MI)	Kennedy	Pickett
Combest	Kennelly	Pickle
Condit	Kildee	Pombo
Cooper	Kingston	Pomeroy
Coppersmith	Klecza	Poshard
Costello	Klink	Price (NC)
Coyne	Kopetski	Rahall
Danner	Kreidler	Rangel
Darden	LaFalce	Reed
Deal	Lambert	Richardson
DeLauro	Lancaster	Roemer
Deutsch	Lantos	Rose
Dixon	LaRocco	Rowland
Dooley	Laughlin	Roybal-Allard
Durbin	Lehman	Sabo
Edwards (TX)	Levin	Sanders
Engel	Lewis (GA)	Sangmeister
Eshoo	Livingston	Sarpalio
Evans	Long	Sawyer
Everett	Lowe	Schenk
Farr	Maloney	Scott
Fazio	Mann	Serrano
Felds (LA)	Manton	Shepherd
Filner	Margolies	Sisisky
Fingerhut	Mezvinsky	Skaggs
Fish	Markey	Skelton
Frank (MA)	Martinez	Slattery
Frost	Matsui	Slaughter

Smith (IA)  
Snowe  
Spratt  
Stark  
Stenholm  
Stokes  
Strickland  
Studds  
Stupak  
Swift  
Synar

Tauzin  
Thompson  
Thornton  
Thurman  
Torres  
Towns  
Traficant  
Tucker  
Unsoeld  
Velazquez  
Vento

Volkmer  
Waters  
Waxman  
Wheat  
Williams  
Wise  
Woolsey  
Wyden  
Wynn  
Yates

## NAYS—132

Allard  
Bachus (AL)  
Baker (CA)  
Ballenger  
Barrett (NE)  
Bartlett  
Bentley  
Bereuter  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bunning  
Buyer  
Calvert  
Camp  
Canady  
Castle  
Coble  
Collins (GA)  
Crapo  
Cunningham  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Emerson  
Ewing  
Fawell  
Fowler  
Franks (CT)  
Franks (NJ)  
Gallely  
Gekas  
Gilchrest  
Gingrich  
Goodlatte  
Goodling  
Goss

Grams  
Gunderson  
Hancock  
Hansen  
Hastert  
Hefley  
Herger  
Hobson  
Hoekstra  
Hoke  
Horn  
Hutchinson  
Hyde  
Inhofe  
Istook  
Johnson (CT)  
Kim  
King  
Klug  
Knollenberg  
Kolbe  
Kyl  
Lazio  
Leach  
Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Manzullo  
McCandless  
McCollum  
McDade  
McHugh  
McKeon  
McMillan  
Meyers  
Mica  
Michel  
Miller (CA)  
Miller (FL)  
Molinar  
Moorhead  
Murphy

Packard  
Paxon  
Petri  
Porter  
Portman  
Pryce (OH)  
Ramstad  
Ravenel  
Regula  
Ridge  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Royce  
Saxton  
Schaefer  
Schiff  
Schroeder  
Sensenbrenner  
Shays  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Solomon  
Spence  
Stearns  
Stump  
Sundquist  
Talent  
Taylor (MS)  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Torkildsen  
Upton  
Walker  
Walsh  
Wolf  
Young (AK)  
Zeliff  
Zimmer

## NOT VOTING—90

Andrews (ME)  
Andrews (TX)  
Archer  
Armey  
Bacchus (FL)  
Baker (LA)  
Barton  
Becerra  
Berman  
Bilirakis  
Blackwell  
Brooks  
Brown (CA)  
Bryant  
Burton  
Clay  
Coleman  
Conyers  
Cox  
Cramer  
Crane  
de la Garza  
DeFazio  
Dellums  
Derrick  
Dicks  
Dingell  
Dornan  
Edwards (CA)  
English

Fields (TX)  
Flake  
Foglietta  
Ford (MI)  
Ford (TN)  
Gallo  
Geren  
Gibbons  
Grandy  
Green  
Hall (TX)  
Hastings  
Hilliard  
Houghton  
Huffington  
Hunter  
Jacobs  
Johnson, E. B.  
Johnson, Sam  
Klein  
Lipinski  
Lloyd  
Machtley  
McCloskey  
McCrery  
Meehan  
Moakley  
Morella  
Murtha  
Nadler

Natcher  
Neal (MA)  
Obey  
Ortiz  
Payne (NJ)  
Quillen  
Quinn  
Reynolds  
Rostenkowski  
Roukema  
Rush  
Santorum  
Schumer  
Sharp  
Shaw  
Shuster  
Smith (TX)  
Swett  
Tanner  
Tejeda  
Torricelli  
Valentine  
Visclosky  
Vucanovich  
Washington  
Watt  
Weldon  
Whitten  
Wilson  
Young (FL)

□ 1729

Mr. KREIDLER changed his vote from "nay" to "yea."  
So the Journal was approved.

The result of the vote was announced as above recorded.

## LEGISLATIVE PROGRAM

(Mr. GINGRICH asked and was given permission to address the House for 1 minute.)

Mr. GINGRICH. Mr. Speaker, I have asked for this 1 minute for the purpose of ascertaining the schedule.

Mr. GEPHARDT. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. Mr. Speaker, I yield to my good friend, the majority leader, to hear what the carefully-worked-out schedule will be.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman from Georgia [Mr. GINGRICH].

On tomorrow, on Wednesday, we will meet at noon. We will be taking up H.R. 6, amendments which we have worked on before on the elementary and secondary education bill. And there is also a plan to try to go forward with the rule to provide that the clinic access bill go to conference.

Mr. Speaker, there are numerous procedural votes possible. We will expect a late session tomorrow; I would say 7 or 8 o'clock would be a fair estimate.

On Thursday, Mr. Speaker, we will be taking up the budget resolution. We want to finish it on that day, if we possibly can. I think Members should expect a very late session that night to try to finish the budget.

On Friday, if we need more time on the budget, we will be here, and we will continue on H.R. 6 amendments. We will be out by 3 o'clock, no later than 3 o'clock.

Mr. GINGRICH. Mr. Speaker, if I could ask, on Thursday, as I understand it, will we take up the rule on the budget on Thursday also?

Mr. GEPHARDT. That is correct.

Mr. GINGRICH. So, we will take up the rule on the budget. We will then take up the Humphrey-Hawkins debate, which will be what; at least 3 hours?

Mr. GEPHARDT. We are negotiating that. I take it, in the Committee on Rules.

Mr. GINGRICH. I am just trying to get some sense.

As the gentleman knows, we think on our side that we have a pretty good alternative in the new Kasich budget, in the House budget, and we would hope that there is not going to be an effort to vote on that at midnight, or 1 or 2 in the morning, or something. Does the gentleman know, if we get to a reasonable hour, can we take up the Republican substitute and the final vote on Friday, if that is where we get to?

Mr. GEPHARDT. We are going to make every effort to finish this bill on Thursday and to shorten the debate so that it can be done at a reasonable hour. That is our great hope.

Obviously we want to get it done this week, and, if we have to be here on Fri-

day, there are a number of Members who, I am sure, will have difficulty being here Friday. We would like to avoid having the vote on the budget on Friday. If we can possibly do it on Thursday, we are going to do it Thursday.

Mr. GINGRICH. I am just curious. Since apparently the Congressional Budget Office could never actually get this work out in terms of scoring everything satisfactorily, and since we are now 3 weeks ahead of the normal budget schedule, is there a reason we are trying to rush all this through rather than having a more reasonable debate over several days?

Mr. GEPHARDT. Mr. Speaker, if the gentleman would continue to yield, we have the crime bill we would like to finish which has a lot more to be done on it before the Easter district work period. We also have the balanced-budget amendment, which will be coming up next week, and a number of conference reports and other pieces of legislation.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from Missouri [Mr. GEPHARDT] very much.

## HOUR OF MEETING ON TOMORROW

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on tomorrow.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Is there objection to the request of the gentleman from Missouri?

There was no objection.

## PERMISSION FOR COMMITTEE ON THE BUDGET TO FILE REPORT ON BUDGET RESOLUTION FOR FISCAL YEAR 1995

Mr. SABO. Mr. Speaker, I ask unanimous consent that the Committee on the Budget may have until midnight tonight to file its report on the budget resolution for fiscal year 1995.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes.

Mr. OWENS, for 5 minutes.

(The following Members (at the request of Mr. HINCHEY) to revise and extend their remarks and include extraneous material:)



Mr. SANDERS, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MORELLA) and to include extraneous matter:)

Mr. CALLAHAN.

Mr. GALLO.

Mr. SHAW.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. HAMILTON in two instances.

Mr. MATSUI.

Mr. MILLER of California.

Mr. LAMBERT.

Mr. BONIOR in two instances.

Mr. MAZZOLI.

Mr. CLYBURN in two instances.

Mr. DURBIN.

Mr. SISISKY.

(The following Members (at the request of Mr. ALLARD) and to include extraneous matter:)

Mr. HUNTER.

Ms. MOLINARI.

Mrs. ROUKEMA.

Mrs. VUCANOVICH.

Mr. COX.

Mr. LEACH.

Mr. GILMAN.

(The following Members (at the request of Mr. HINCHEY) and to include extraneous matter:)

Mr. LEHMAN.

Mr. DINGELL.

Mr. PICKETT.

Mr. TRAFICANT.

Mr. MORAN.

Mr. CARDIN.

Mr. LIPINSKI.

Mr. SABO.

Ms. NORTON.

Mr. HOYER.

#### ADJOURNMENT

Mr. MFUME. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 9, 1994, at 12 noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2724. A letter from the Assistant Secretary of the Army (Installations, Logistics, and Environment), Department of Defense, transmitting notification of the recent discovery of one 2.36-inch suspected chemical rocket projectile on February 1, 1994, at Aberdeen Proving Ground, MD, pursuant to 50 U.S.C. 1518; to the Committee on Armed Services.

2725. A letter from the Assistant Secretary of the Army (Installations, Logistics, and

Environment), Department of Defense, transmitting notification of the recent emergency destruction of two 4.2-inch chemical mortar projectiles at Dugway Proving Ground, UT, pursuant to 50 U.S.C. 1518; to the Committee on Armed Services.

2726. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Charles H. Twining, of Maryland, to be Ambassador to Cambodia, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2727. A letter from the Vice President and General Counsel, Overseas Private Investment Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2728. A letter from the Chairman, U.S. Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2729. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled "A Study of Payments for Ambulance Services under Medicare," pursuant to Public Law 101-239, section 6136(b) (103 Stat. 2223); jointly, to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABO: Committee on the Budget. House Concurrent Resolution 218. Resolution setting forth the congressional budget for the U.S. Government for fiscal years 1995, 1996, 1997, 1998, and 1999 (Rept. No. 103-428). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEHMAN (for himself, Mrs. VUCANOVICH, and Mr. MILLER of California):

H.R. 3967. A bill to amend the Helium Act to prohibit the Bureau of Mines from refining helium and selling refined helium, to dispose of the U.S. helium reserve, and for other purposes; to the Committee on Natural Resources.

By Mr. HUGHES:

H.R. 3968. A bill to provide grants to States to assist in the incarceration of violent repeat offenders and to manage the problems associated with overcapacity in correctional facilities and programs and to support comprehensive programs that will reduce the rate of recidivism; to the Committee on the Judiciary.

By Mr. BOEHNER (for himself, Mr. ROBERTS, Mr. STENHOLM, Mr. SMITH of Oregon, Mr. COMBEST, Mr. DARDEN, Mr. KINGSTON, Mr. EMERSON, Mr. BISHOP, Mr. DELAY, Mr. TEJEDA, Mr. MCCREY, Mr. LIVINGSTON, Mr. BARLOW, Mr. LINDER, Mr. TAYLOR of

North Carolina, Mr. PARKER, Mr. BAESLER, Mr. HANSEN, Ms. DANNER, Mr. POSHARD, Mr. LANCASTER, Mr. BONILLA, Mr. CRAPO, Mr. BUNNING, Mr. WILSON, Mr. DOOLITTLE, Mr. MINGE, Mr. EWING, Mr. HAYES, Mr. HOAGLAND, Mr. BAKER of Louisiana, Mr. OXLEY, and Ms. KAPTUR):

H.R. 3969. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to provide State, Federal, and Tribal agencies with sufficient time to implement certain pesticide safety training programs; to the Committee on Agriculture.

By Mr. CARDIN:

H.R. 3970. A bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. COX:

H.R. 3971. A bill to amend title 18, United States Code, to exempt qualified former agents of the Federal Bureau of Investigation from State laws prohibiting the carrying of concealed firearms; to the Committee on the Judiciary.

By Mr. HAMBURG:

H.R. 3972. A bill to designate the visitors center at Warm Springs Dam, CA, as the "Milt Brandt Visitors Center"; to the Committee on Public Works and Transportation.

By Mr. HOYER (for himself and Mr. MORAN):

H.R. 3973. A bill to expand the boundaries of the Piscataway National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. LEACH:

H.R. 3974. A bill to provide for fair trade in insurance services, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. McCLOSKEY:

H.R. 3975. A bill to establish temporary measures to facilitate the reemployment of Federal employees who are involuntarily separated from teaching positions abroad; to amend title 5, United States Code, with respect to continuing health benefits for such employees, and for other purposes; jointly, to the Committees on Post Office and Civil Service and Education and Labor.

By Mr. MOLINARI:

H.R. 3976. A bill to amend the Act establishing the Gateway National Recreation Area to provide for the management of Fort Wadsworth by the Secretary of the Interior, and for other purposes; to the Committee on Natural Resources.

By Mr. PETERSON of Florida:

H.R. 3977. A bill to reform the grave marker allowance for veterans; to the Committee on Veterans' Affairs.

By Mr. POMBO:

H.R. 3978. A bill to amend the Endangered Species Act of 1973 to provide for the conservation of threatened species and endangered species, to assure balanced consideration of scientific, economic, and social factors in the implementation of the act, to provide for scientific peer review of determinations made under the act, to provide private property protections, to remove obsolete provisions, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHUMER (for himself and Mr. HYDE):

H.R. 3979. A bill to amend title 18, United States Code, with respect to certain manda-

tory minimum sentences; to the Committee on the Judiciary.

By Mr. SCHUMER (by request):

H.R. 3980. A bill to support and assist drug courts; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. SCHUMER (for himself (by request), Mr. HOYER, Mr. MAZZOLI, Mr. GLICKMAN, Mr. SANGMEISTER, Mr. MANN, Mr. MCCOLLUM, Mr. RAMSTAD, Mr. LIVINGSTON, Mr. ROYCE, Mr. MANTON, and Ms. BYRNE):

H.R. 3981. A bill to provide mandatory life imprisonment for persons convicted of a third violent felony; to the Committee on the Judiciary.

By Mr. WELDON (for himself and Mr. ORTIZ):

H.R. 3982. A bill entitled "The Ocean Radioactive Dumping Ban Act of 1994"; to the Committee on Merchant Marine and Fisheries.

By Mr. DOOLITTLE:

H.J. Res. 331. A joint resolution designating May 1994, as "National Community Residential Care Month"; to the Committee on Post Office and Civil Service.

By Mr. GILMAN:

H. Con. Res. 216. Concurrent resolution expressing the sense of the Congress regarding human rights in Vietnam; to the Committee on Foreign Affairs.

By Mr. NADLER:

H. Con. Res. 217. Concurrent resolution expressing the sense of the Congress that any comprehensive health care reform legislation that is enacted should ensure that women receive appropriate breast and cervical cancer screenings and general gynecological care consistent with current medical standards; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. CLAY:

H. Res. 380. Resolution providing for the concurrence by the House with an amendment to the amendment of the Senate to H.R. 3345; considered under suspension of the rules and agreed to.

By Mr. HEFLEY (for himself, Mr. BACHUS of Alabama, Mr. BUNNING, Mr. BURTON of Indiana, Mr. CANADY, Mr. DOOLITTLE, Mr. EMERSON, Mr. GALLEGLY, Mr. GINGRICH, Mr. HANSEN, Ms. DUNN, Mr. KING, Mr. LIGHTFOOT, Mr. LIVINGSTON, Mr. MCHUGH, Mr. MYERS of Indiana, Mr. PORTMAN, Mr. RAMSTAD, Mr. STUMP, Mr. SUNDQUIST, Mr. TORKILDSEN, and Mr. LINDER):

H. Res. 381. Resolution amending the Rules of the House of Representatives to require a three-fifths majority vote to pass any bill, joint resolution, amendment, or conference report raising revenues; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII,

294. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to amending the Oil Pollution Act of 1990 with respect to the financial responsibility requirements for offshore exploration and production facilities; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. HOYER introduced a bill (H.R. 3983) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sunshine*; which was referred to the Committee on Merchant Marine and Fisheries.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. SANDERS.  
H.R. 171: Mr. FISH.  
H.R. 173: Mr. BAKER of Louisiana.  
H.R. 369: Mr. McMILLAN and Mr. GOODLING.  
H.R. 372: Mr. ALLARD, Mr. COX, Mr. UPTON, and Mr. ZELIFF.  
H.R. 702: Mr. PETERSON of Minnesota, Mrs. SCHROEDER, Mr. SARPALIUS, Mrs. LLOYD, and Mr. OWENS.  
H.R. 769: Mr. ROSE.  
H.R. 885: Mr. STUMP and Mr. BARCA of Wisconsin.  
H.R. 1055: Mr. BAKER of Louisiana.  
H.R. 1181: Ms. ESHOO and Mr. STRICKLAND.  
H.R. 1517: Mr. MARTINEZ, Mr. STRICKLAND, Mr. LIPINSKI, and Mr. FILNER.  
H.R. 1551: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MYERS of Indiana, Mr. JOHNSTON of Florida, and Mr. MACHTEY.  
H.R. 1671: Mr. FRANK of Massachusetts.  
H.R. 1712: Mr. BUYER, Mrs. FOWLER, and Mr. BAKER of Louisiana.  
H.R. 1815: Mr. POMBO.  
H.R. 1900: Mrs. KENNELLY and Mr. BARCA of Wisconsin.  
H.R. 1968: Mr. NADLER and Mr. HORN.  
H.R. 1981: Mr. TAUZIN, Mr. JOHNSON of Georgia, and Mr. KINGSTON.  
H.R. 1986: Mr. GEKAS, Mr. PASTOR, Mr. DORNAN, Mr. PARKER, Mr. GALLEGLY, Mr. NEAL of North Carolina, and Mr. FISH.  
H.R. 2135: Mr. FRANK of Massachusetts and Mr. BILBRAY.  
H.R. 2159: Mr. JOHNSON of South Dakota.  
H.R. 2207: Mr. SOLOMON.  
H.R. 2479: Mr. FISH, Mr. CLAY, Mr. MANTON, Mrs. ROUKEMA, Mr. BLACKWELL, Mr. MATSUI, and Mr. MURTHA.  
H.R. 2623: Mr. BACHUS of Alabama.  
H.R. 2654: Mr. DOOLITTLE and Mrs. LLOYD.  
H.R. 2767: Mr. MONTGOMERY.  
H.R. 2866: Mr. SARPALIUS and Mr. JEFFERSON.  
H.R. 2910: Mr. GRAMS, Mr. HASTERT, Mr. McMILLAN, Mr. MICA, Mr. MINGE, Mr. SLATTERY, Mr. STENHOLM, and Mr. UPTON.  
H.R. 3014: Ms. DANNER and Mr. GEPHARDT.  
H.R. 3097: Ms. MCKINNEY.  
H.R. 3136: Mr. EVANS.  
H.R. 3271: Mr. SOLOMON.  
H.R. 3293: Mr. OWENS and Mr. CALLAHAN.  
H.R. 3328: Mr. FISH.  
H.R. 3333: Mr. BOEHNER.  
H.R. 3363: Mr. GINGRICH.  
H.R. 3431: Ms. FURSE.  
H.R. 3455: Mr. BLUTE, Mr. EWING, and Mr. JACOBS.  
H.R. 3508: Mr. OBERSTAR.  
H.R. 3513: Mr. FISH.  
H.R. 3622: Mr. BAKER of Louisiana.  
H.R. 3656: Mr. LINDER.  
H.R. 3663: Mr. THOMPSON, Mr. STARK, Mr. TORRES, and Ms. ROS-LEHTINEN.  
H.R. 3727: Mr. BOEHNER.  
H.R. 3762: Mr. McKEON.  
H.R. 3795: Mr. KLUG, Mr. BUYER, and Mr. STUMP.  
H.R. 3796: Mr. BALLENGER, Mr. FISH, and Ms. PRYCE of Ohio.  
H.R. 3830: Ms. BROWN of Florida, Mr. PASTOR, Mr. SKELTON, and Mr. SMITH of Iowa.

H.R. 3860: Mr. WILSON and Mr. BALLENGER.  
H.R. 3862: Mr. HEFLEY.  
H.R. 3873: Mr. BORSKI, Mr. ENGEL, Mr. KLEIN, and Mr. McDERMOTT.  
H.R. 3878: Mr. KREIDLER.  
H.R. 3879: Mr. FINGERHUT, Mr. CHAPMAN, Ms. BROWN of Florida, Mr. KLEIN, Mr. FROST, Mr. MARTINEZ, Mr. ABERCROMBIE, Mr. REYNOLDS, Mr. OWENS, Mr. MORAN, Mr. SHARP, Mr. SPENCE, Mr. TOWNS, Mr. YOUNG of Alaska, Mr. JACOBS, Mr. BLUTE, Mr. NEAL of North Carolina, Mr. WHITTEN, Mr. YATES, Mr. WYNN, Mr. DIXON, Mr. HUGHES, Mr. LANTOS, Mr. KASICH, Ms. LAMBERT, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. RAVENEL, Mr. HALL of Ohio, Ms. MINK of Hawaii, Mr. SYNAR, Mr. TAUZIN, Mr. UNDERWOOD, Mr. LAFALCE, Mr. CARDIN, Mr. JEFFERSON, Mr. SCHUMER, Mr. HAYES, Mr. WHEAT, and Mr. FISH.  
H.R. 3900: Mr. CLAY, Ms. DANNER, Mr. HOLDEN, Mr. LIPINSKI, Mr. MANN, Mr. MINGE, and Mr. VISCLOSKEY.  
H.R. 3923: Mr. FISH.  
H.R. 3926: Mr. HOCHBRUECKNER, Mrs. MALONEY, Mr. BLUTE, and Mr. FISH.  
H.R. 3932: Mr. ABERCROMBIE.  
H.R. 3939: Mr. BERDEUTER.  
H.R. 3953: Mr. PETERSON of Florida.  
H.R. 3958: Mr. INGLIS of South Carolina and Mr. SHAYS.  
H.J. Res. 9: Mr. LEVY.  
H.J. Res. 21: Mr. EWING.  
H.J. Res. 44: Mrs. BENTLEY.  
H.J. Res. 131: Mr. CONDIT and Mr. CUNNINGHAM.  
H.J. Res. 276: Mr. DE LUGO, Mr. KLEIN, Mr. McDADE, Mr. SARPALIUS, Mr. SANDERS, Mr. MARTINEZ, Mr. TRAFICANT, Mr. DIXON, Mr. SHARP, Mr. MONTGOMERY, Mr. TAUZIN, Mr. HYDE, Mr. JACOBS, Mr. HOLDEN, Mr. SPENCE, Mr. SLATTERY, and Mr. PETERSON of Florida.  
H.J. Res. 291: Mr. MINGE, Mr. FARR, Mr. GUNDERSON, Mr. EWING, Mrs. MEEK of Florida, Ms. PELOSI, Mr. SCHUMER, Mr. TUCKER, Mr. SCOTT, Mr. OWENS, Mr. FIELDS of Louisiana, Mr. FLAKE, Mr. PAYNE of New Jersey, Mr. THOMPSON, Mr. WYNN, Mr. FORD of Tennessee, Mr. RANGEL, Mr. LEWIS of Georgia, Miss COLLINS of Michigan, Mr. FRANKS of Connecticut, Mr. STOKES, Mr. RICHARDSON, Mr. SERRANO, Mr. MENENDEZ, Mrs. SCHROEDER, Mrs. THURMAN, Mr. NADLER, Mr. MONTGOMERY, Mr. KLEIN, Ms. ROYBAL-ALLARD, Mr. KLECZKA, Mr. HALL of Ohio, Mr. FORD of Michigan, Mr. DURBIN, and Mr. BISHOP.  
H.J. Res. 293: Mr. McDERMOTT, Mr. MARTINEZ, Mr. PASTOR, and Mr. TUCKER.  
H.J. Res. 297: Mr. BALLENGER and Mr. BLACKWELL.  
H.J. Res. 303: Mr. DIXON, Mr. FALEOMAVAEGA, Mr. TORKILDSEN, Mr. McNULTY, Mr. MENENDEZ, Mr. DICKS, Mr. PORTMAN, Mr. WILSON, Mr. GUNDERSON, Mr. FISH, and Mr. SOLOMON.  
H.J. Res. 310: Mr. REYNOLDS, Mr. DIXON, Mr. SAXTON, Ms. NORTON, Mr. REGULA, Mr. SCOTT, Mr. SERRANO, Mr. STUPAK, Mr. BOEHLERT, Ms. WOOLSEY, Mr. PETERSON of Florida, Mr. ROWLAND, Mr. MURTHA, Mr. MINETA, Mr. ORTON, Mrs. FOWLER, Mr. MCHUGH, and Mr. HOYER.  
H.J. Res. 316: Ms. ESHOO, Mr. LANTOS, Ms. DeLAURO, Ms. MCKINNEY, Mr. DIXON, and Mr. DINGELL.  
H.J. Res. 317: Mr. BOEHLERT, Mr. LaROCCO, Mrs. MEEK of Florida, Mr. WALSH, Mr. THOMPSON, Mr. LIGHTFOOT, Mr. STOKES, Mr. ROWLAND, Mr. TOWNS, Mr. SPRATT, Mr. GONZALEZ, Mr. QUILLLEN, Mr. ROMERO-BARCELO, Mr. SPENCE, Mr. KENNEDY, Mr. SANGMEISTER, Mr. NEAL of Massachusetts, Mr. FAZIO, Mr. OBERSTAR, Mr. LEACH, Mr. GILLMOR, Mr. PAYNE of New Jersey, Mr. FLAKE, Mr. JA-



